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IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF VIRGINIA
 ROANOKE DIVISION

SCOTT GELLNER,)	
Plaintiff,)	Civil Action No. 7:08cv00442
)	
v.)	FINAL ORDER
)	
LOUIS KIRK NAGY, et al.,)	By: Jackson L. Kiser
Defendants.)	Senior United States District Judge

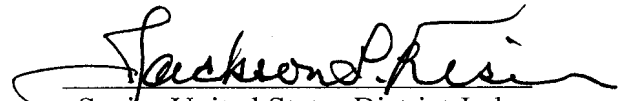
In accordance with the accompanying memorandum opinion, it is now

ORDERED

that plaintiff's complaint is **DISMISSED**, pursuant to 28 U.S.C. § 1915A(b)(1), and this case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and accompanying memorandum opinion to the plaintiff and counsel of record for the defendants, if known.

ENTER: This 23rd day of January, 2009.


 Senior United States District Judge