

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED to r RK

JUN 11 2009

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

JOHN F. CORCORAN, CLERK
BY: *H McDonald*
DEPUTY CLERK

VINCE GILMER, Plaintiff,)	Civil Action No. 7:08-cv-00516
)	
v.)	<u>ORDER</u>
)	
DR. ASHAN, <u>et al.</u> , Defendants.)	By: Hon. Jackson L. Kiser
)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the plaintiff's motion for a temporary restraining order (docket #1) is **DENIED**; the action is **DISMISSED** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 11th day of June, 2009.

Jackson L. Kiser
Senior United States District Judge