

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

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED for
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MAR 31 2009
JOHN F. CORCORAN, CLERK
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DWIGHT LEWIS,
Petitioner,

Civil Action No. 7:08-cv-00568

FINAL ORDER

v.

By: Hon. Jackson L. Kiser
Senior U.S. District Judge

JUDGE WILLIAM ALEXANDER, II, et al.,
Respondents.

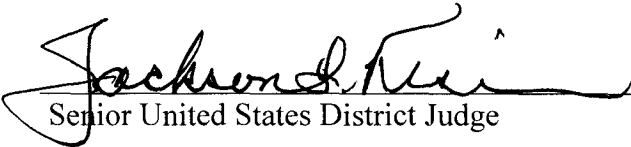
In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the petitioner's motion for a writ of mandamus (docket #1), which the court construes as a petition for writ of habeas corpus pursuant to 28 U.S.C. §2254, shall be and hereby is **DISMISSED without prejudice** for failure to exhaust state court remedies and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this final order and the accompanying memorandum opinion to the petitioner.

ENTER: This 31st day of March, 2009.


Senior United States District Judge