

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

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

JAN 21 2009

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ROBERT JASON MARTIN, Plaintiff,)	
)	Civil Action No. 7:08-cv-00573
)	
v.)	<u>FINAL ORDER</u>
)	
RANDY MATHENA, Defendant.)	By: Hon. James C. Turk
)	Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is now

ORDERED

that plaintiff's motion to amend is **GRANTED**; the plaintiff's amended complaint is **DISMISSED**, pursuant to 28 U.S.C. 1915A(b)(1); 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 21st day of January, 2009.

James C. Turk

Senior United States District Judge