

CLERK'S OFFICE U.S. DIST. COURT
 AT DANVILLE, VA
 FILED
for Roanoke
 MAY 26 2009
 JOHN F. CORCORAN, CLERK
 BY: *[Signature]*
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IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF VIRGINIA
 ROANOKE DIVISION

VINCE GILMER, Plaintiff,)	Civil Action No. 7:08-cv-00635
)	
)	
v.)	<u>ORDER</u>
)	
DR. ROOKER, Defendant.)	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 complaint 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 20th day of May, 2009.

Jackson L. Kiser
 Senior United States District Judge