

CLERK'S OFFICE U.S. DIST. COURT
 AT ROANOKE, VA
 FILED
APR 27 2009
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**IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF VIRGINIA
 ROANOKE DIVISION**

KENNETH EDWARD BARBOUR,)	Civil Action No. 7:09-cv-00132
Plaintiff,)	
)	<u>FINAL ORDER</u>
v.)	
)	By: Hon. James C. Turk
VDOC AT WALLENS RIDGE)	Senior United States District Judge
STATE PRISON,)	
Defendant.)	

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

ORDERED

that the plaintiff's complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, 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 27th day of April, 2009.

[Signature]
 Senior United States District Judge