

CLERK'S OFFICE U.S. DIST. COURT  
 AT DANVILLE, VA  
 FILED  
*For Roanoke*  
 OCT 30 2009  
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IN THE UNITED STATES DISTRICT COURT  
 FOR THE WESTERN DISTRICT OF VIRGINIA  
 ROANOKE DIVISION

ARGENTINE R. HAIRSTON, Petitioner,	)	Civil Action No. 7:09-cv-00152
	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
WARDEN RC MATHENE, Respondent.	)	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 respondent's motion to dismiss is **GRANTED**; the petition is **DISMISSED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 30<sup>th</sup> day of October, 2009.

*[Signature]*  
 Senior United States District Judge