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AT ROANOKE, VA
FILED

JUL 02 2009

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

ROBERT G. MISKA,)	
Plaintiff,)	Civil Action No. 7:09-cv-00172
)	
v.)	<u>FINAL ORDER</u>
)	
MIDDLE RIVER REGIONAL JAIL,)	
<u>et. al.</u>,)	By: Hon. Glen E. Conrad
Defendants.)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that plaintiff's motion to proceed in forma pauperis (Dkt. No. 10) is **GRANTED**; his motion to amend (Dkt. No. 9) is **GRANTED** and his complaint is amended as stated in the motion; and the action as amended shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B), and stricken from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 2^d day of July, 2009.



United States District Judge