

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

MAY 20 2010

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

JOHN F. CORCORAN, CLERK
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RAHEEM Z. LANGHORNE,)	
Petitioner,)	Civil Action No. 7:09CV00421
)	
v.)	<u>ORDER</u>
)	
WARDEN HARRIS DIGGS, JR.,)	By: Hon. James C. Turk
Respondent.)	Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby

ADJUDGED AND ORDERED

that Respondent's Motion to Dismiss (Dkt. No.10) is **GRANTED**. Accordingly, Petitioner's 28 U.S.C. § 2254 Petition (Dkt. No.1) is **DENIED**. The Clerk of Court is directed to strike the matter from the court's active docket and to send a copy of this final order and accompanying memorandum opinion to Petitioner and counsel of record for the Respondent.

ENTER: This 30th day of May, 2010.

James C. Turk

Senior United States District Judge