

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

NOV 25 2009

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

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JEFFREY JASON GARDNER,)	Civil Action No. 7:09-cv-00431
Petitioner,)	
)	
v.)	<u>ORDER</u>
)	
KATHLEEN BASSETT,)	By: Hon. James C. Turk
Respondent.)	Senior United States District Judge

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

ORDERED

that petitioner's petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is
DISMISSED as untimely filed; all pending motions are **DENIED as moot**; a Certificate of
Appealability is **DENIED**; and the action 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 petitioner.

ENTER: This 25th day of November, 2009.

James C. Turk

Senior United States District Judge