

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

DEC 16 2009

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

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

CHRISTOPHER RAYE BROWN,  
Petitioner,

Civil Action No. 7:09-cv-00483

v.

FINAL ORDER

GENE M. JOHNSON,  
Respondent.

By: Samuel G. Wilson  
United States District Judge

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

**ORDERED** and **ADJUDGED**

that Brown's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED** and this case shall be **STRICKEN** from the active docket of the court.

Further, finding that Brown has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

Brown is advised that he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 30 days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk of the Court is **DIRECTED** to send a certified copy of this Order and accompanying Memorandum Opinion to the petitioner.

ENTER: This 15<sup>th</sup> day of December, 2009.

*[Signature]*  
\_\_\_\_\_  
United States District Judge