

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

DEC 11 2009

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

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BY: *[Signature]*  
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TRACY D. CARTER,	)	Civil Action No. 7:09-cv-00498
Petitioner,	)	
	)	
v.	)	<u>ORDER</u>
	)	
VA DEPT. OF CORRECTIONS, <u>et al.</u> ,	)	By: Hon. James C. Turk
Respondents.	)	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 is **DISMISSED** without prejudice, pending motions are **DENIED as moot**; and the case 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 10<sup>th</sup> day of December, 2009.

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