

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED  
for Roanoke  
FEB - 1 2010

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

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
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DAVID RAY BARBOUR, Plaintiff,	)	Civil Action No. 7:10-cv-00048
	)	
v.	)	<u>ORDER</u>
	)	
CHARLES T. STRASS, Defendant.	)	By: Hon. Jackson L. Kiser
	)	Senior United States District Judge

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

**ORDERED**

that the complaint is **DISMISSED without prejudice as frivolous**, pursuant to 28 U.S.C. § 1915A(b)(1), 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 plaintiff.

ENTER: This 1st day of <sup>Feb.</sup>~~January~~, 2010.

*[Signature]*  
Senior United States District Judge