Whitebey v. Warden et al Doc. 3

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

JEFFREY WHITEBEY, A.K.A. JEFFREY WHITE,	)	
Petitioner,	)	**Case No. 7:10CV00051**
v.	)	**FINAL ORDER**
WARDEN, OLIVIA JOHNSON, SHERIFF,	)	**By: Glen E. Conrad** **United States District Judge**
Respondent.	)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** without prejudice; and this action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 8th day of February, 2010.

United States District Judge

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