

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

FEB 22 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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JEREMY A. HUTCHERSON,	)	
Petitioner,	)	Civil Action No. 7:10-cv-00071
	)	
v.	)	<b><u>FINAL ORDER</u></b>
	)	
JAMES BERKLEY PRIEST, <u>et al.</u> ,	)	By: Samuel G. Wilson
Respondents.	)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Hutcherson's 28 U.S.C. § 2254 petition shall be and hereby is **DISMISSED without prejudice**, his motion to proceed in forma pauperis is **DENIED as moot**; and this action shall be **STRICKEN** from the active docket of the court.

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

ENTER: This 22nd day of February, 2010.

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