

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

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

MAR 31 2010

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

JAVIS E. HOLLAND,

Plaintiff,

Case No. 7:10CV00086

v.

FINAL ORDER

DIRECTOR OF HEALTH SERVICES, ET
AL.,

Defendants.

By: Glen E. Conrad
United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. Plaintiff's response to the conditional filing order (Dkt. No. 7) is **CONSTRUED** as a motion to amend, and that motion is **GRANTED** to add to the complaint additional allegations and to add Nurse Stephenson as a defendant;
2. The complaint as amended is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1) and § 1367(c) (as to any possible state law claims);
3. Plaintiff's request for appointment of counsel is **DENIED**; and
4. This action is stricken from the active docket of the court.

ENTER: This 30th day of March, 2010.

[Signature: Glen E. Conrad]

United States District Judge