

CLERK'S OFFICE U.S. DISTRICT COURT
 AT ROANOKE VA. - FILED

APR 07 2010

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

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

MARION LEON BEA,)	Civil Action No. 7:10-cv-00152
Petitioner,)	
)	
v.)	<u>ORDER</u>
)	
HONORABLE BENJAMIN N. A.)	
KENDRICK,)	By: Hon. James C. Turk
Respondent.)	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 mandamus is **DISMISSED** without prejudice; all pending motions are **DENIED as moot**; and the action 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 7th day of April, 2010.

[Signature]
 Senior United States District Judge