

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA

FILED
for Roanoke
MAR 24 2011

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

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

LONNIE OGLESBEE,)	Civil Action No. 7:10-cv-00322
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
WARDEN TERRY O'BRIEN, <u>et al.</u> ,)	By: Hon. Jackson L. Kiser
Defendants.)	Senior United States District Judge

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

ORDERED

that plaintiff's motion for recusal is **DENIED**; the complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted and for failing to follow a court order, pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii), 1915A(b)(1) and Rule 41(b), Fed. R. Civ. P.; all remaining motions are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile his claims at the time of his choice.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 24th day of March, 2011.

[Signature]
Senior United States District Judge