

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

DEC 03 2010

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

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

CECIL E. WAMPLER,)	Civil Action No. 7:10-cv-00515
Petitioner,)	
)	
v.)	<u>ORDER</u>
)	
UNITED STATES OF AMERICA,)	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 is **GRANTED** leave to proceed in forma pauperis; the petition is **DISMISSED** **without prejudice** for failing to state a claim upon which relief may be granted; 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 2nd day of December, 2010.

James C. Turk

Senior United States District Judge