

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

DEC 22 2010

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

JULIA C. DUDLEY, CLERK
BY: *J. C. Turk*
DEPUTY CLERK

CARROLL E. WADE, Plaintiff,)	Civil Action No. 7:10-cv-00558
)	
v.)	<u>ORDER</u>
)	
STANLEY K. YOUNG, <u>et al.</u> , Defendant.)	By: Hon. James C. Turk
)	Senior United States District Judge

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

ORDERED

that plaintiff's complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1); all pending motions are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile his complaint in a new and separate action at the time of his choice by filing a new complaint with the requisite details.

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

ENTER: This 22nd day of December, 2010.

James C. Turk
Senior United States District Judge