

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

APR 04 2011

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

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

ANTHONY ANTOINE FITTS,)	Civil Action No. 7:11-cv-00012
Petitioner,)	
)	ORDER
v.)	
)	By: Hon. James C. Turk
GENE M. JOHNSON,)	Senior United States District Judge
Respondent.)	

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

ORDERED

that the respondent's motion to dismiss is **GRANTED**; petitioner's petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**; a Certificate of Appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copies of this final order and the accompanying memorandum opinion to the petitioner.

ENTER: This 4th day of April, 2011.

James C. Turk

Senior United States District Judge