

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

SEP 06 2011

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

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

NATHANIEL T. RIVERS)
Petitioner,)
v.)
DIRECTOR, DEPARTMENT OF)
CORRECTIONS,)
Respondent.)

Civil Action No. 7:11-CV-00153

FINAL ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the accompanying Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that Respondent's motion to dismiss (Dkt. No. 8) is **GRANTED** and Petitioner Nathaniel T. Rivers' petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Dkt. No. 1) is **DENIED**. Further, Petitioner is advised that a Certificate of Appealability is **DENIED**.

The Clerk is directed to strike this case from the Court's active docket and send copies of this Order and accompanying Memorandum Opinion to Petitioner and counsel of record for Respondent.

ENTER: This 6th day of September, 2011.

[Signature]
Senior United States District Judge