


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

MAY 05 2011

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

TRACY D. CARTER,)	Civil Action No. 7:11-cv-00206
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
WESTERN VIRGINIA REGIONAL)	
JAIL,)	By: Hon. James C. Turk
Defendant.)	Senior United States District Judge

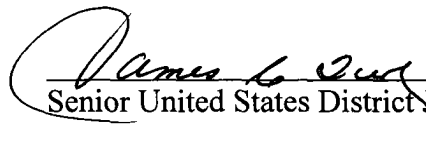
In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that plaintiff is **GRANTED** leave to proceed in forma pauperis; plaintiff's complaint is **DISMISSED without prejudice**, pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1); and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile his claim as a new and separate action 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 5th day of May, 2011.


Senior United States District Judge