

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

<b>RONDALL CLYDE MIXSON,</b>  ) ) ) <b>Petitioner,</b>  ) <b>vs.</b> ) ) <b>WARDEN,</b> ) ) ) <b>Respondent.</b> )	) ) ) ) ) ) ) ) ) ) )	<b>CASE NO. 7:11CV00308</b>  <b>FINAL ORDER</b>  <b>By: Glen E. Conrad</b> <b>Chief United States District Judge</b>
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In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the motion to dismiss (ECF No. 5) is **GRANTED**, the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

**ENTER:** This 30th day of September, 2011.

          /s/ Glen E. Conrad            
 Chief United States District Judge