

JUN 05 2012

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

JULIA C. DUPLEY, CLERK
BY: *J. C. Dupley*
DEPUTY CLERK

JONATHAN WADDY,)	CASE NO. 7:11CV00320
)	
Plaintiff,)	
)	FINAL ORDER
vs.)	
)	
SANDSTROM, <u>ET AL.</u> ,)	By: Glen E. Conrad
)	Chief United States District Judge
Defendant(s).)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. Defendants' motion for summary judgment for failure to comply with 42 U.S.C. § 1997e(a) is **GRANTED** as to plaintiff's claims of excessive force, failure to protect, and race discrimination;
2. Plaintiff's conspiracy and due process claims are **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) as frivolous; and
3. This action is stricken from the active docket of the court.

ENTER: This 5th day of June, 2012.

Glen Conrad

Chief United States District Judge