


JUL 27 2012

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

RICKY L. HAMLETT, )  
 ) CASE NO. 7:11CV00322  
 )  
 )  
 ) Petitioner, )  
 )  
 ) FINAL ORDER  
 )  
 )  
 ) v. )  
 )  
 )  
 ) HAROLD W. CLARKE, )  
 ) By: Glen E. Conrad  
 ) Chief United States District Judge  
 )  
 ) Respondent. )

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the motion to dismiss (ECF No. 7) 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 27<sup>th</sup> day of July, 2012.

  
\_\_\_\_\_  
Chief United States District Judge