

JUL 31 2012

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

JULIA C. DUDLEY, CLERK
BY: *J.C. Turk*
DEPUTY CLERK

PAUL C. GRAYBILL, JR.,)	
)	Case No. 7:11-cv-00331
Petitioner,)	
)	
v.)	<u>FINAL ORDER</u>
)	
HAROLD W. CLARKE, DIRECTOR,)	By: James C. Turk
)	Senior United States District Judge
Respondent.)	

For the reasons set forth in the Memorandum Opinion entered this day, it is hereby **ADJUDGED** and **ORDERED** Respondent's Motion to Dismiss is **GRANTED** (Dkt. No. 36) and the Petition for a Writ of Habeas Corpus is **DENIED** (Dkt. No. 1). Further, the Court finds that Graybill has not made the requisite substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c) and, therefore, a certificate of appealability is **DENIED**.

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

ENTER: This 21st day of July, 2012.

James C. Turk
Senior United States District Judge