

SEP 30 2011

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

JULIA C. DUDLEY, CLERK
BY: *L. Bush*
DEPUTY CLERK

DYTANIA ORLANDO PAYNE,)
Petitioner,)
)
v.) **Civil Action No. 7:11-cv-00403**
)
) **ORDER**
)
HAROLD CLARKE,)
Respondent.) **By: Hon. Michael F. Urbanski**
) **United States District Judge**

In accordance with the accompanying Memorandum Opinion entered this day, it is hereby

ORDERED

that the petition for a writ of habeas corpus is **DISMISSED**; a Certificate of Appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to petitioner.

ENTER: This 30th day of September, 2011.

/s/ Michael F. Urbanski
United States District Judge