

JUL 13 2012

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLYDE TUCK,)	CASE NO. 7:11CV00450
)	
Plaintiff,)	
)	FINAL ORDER
vs.)	
)	
)	
DIRECTOR, <u>ET AL.</u> ,)	By: Glen E. Conrad
)	Chief United States District Judge
Defendants.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. Because plaintiff's submissions docketed as ECF Nos. 10, 23, and 35 present additional allegations and documents in support of his claims, they are **CONSTRUED** and **GRANTED** as amendments to the amended complaint (ECF No. 19);
2. Defendant Elko's motion to dismiss (ECF No. 32) is **GRANTED**;
3. All claims against the director of medical services for the Virginia Department of Corrections and John and Jane Does are **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim, and
3. The action is stricken from the active docket of the court.

ENTER: This 13th day of July, 2012.

[Signature: Glen E. Conrad]

 Chief United States District Judge