

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

**BRIAN DAVID STREBE,**  
**Plaintiff,**

**v.**

**R.C. MATHENA, et al.,**  
**Defendants.**

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**Civil Action No. 7:11-cv-00469**

**FINAL ORDER**

**By: Norman K. Moon**  
**United States District Judge**

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

**ADJUDGED AND ORDERED**

that Strebe’s motion to proceed in forma pauper is **GRANTED**, this action is **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and this case is **STRICKEN** from the active docket of the court.

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

**ENTER:** This 31<sup>st</sup> day of October, 2011.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE