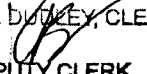


OCT 12 2011

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

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

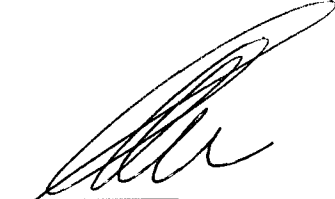
|                    |   |                                |
|--------------------|---|--------------------------------|
| ROBERT E. SAMPSON, | ) |                                |
| Petitioner,        | ) | Civil Action No. 7:11-cv-00479 |
|                    | ) |                                |
| v.                 | ) | <u>FINAL ORDER</u>             |
|                    | ) |                                |
| CAPTAIN,           | ) | By: Samuel G. Wilson           |
| Respondent.        | ) | United States District Judge   |

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Sampson's 28 U.S.C. § 2254 petition shall be and hereby is **DISMISSED without prejudice** and this action shall be **STRICKEN** from the active docket of the court.

Further, finding that Sampson 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**.

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

**ENTER:** This 12<sup>th</sup> day of October, 2011.

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