

FEB 13 2013

JULIA C. DUDLEY, CLERK  
BY:  DEPUTY CLERK

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

JEREMY L. MANNS,	)	CASE NO. 7:12CV00118
	)	
Petitioner,	)	
v.	)	FINAL ORDER
	)	
	)	
HAORLD W. CLARKE,	)	By: James C. Turk
	)	Senior United States District Judge
Respondent.	)	


In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the motion to dismiss (ECF No. 13) is **GRANTED**; the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**; and this action is stricken from the active docket of the court.

Further, finding that petitioner 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**.

ENTER: This 13<sup>th</sup> day of February, 2013.

  
Senior United States District Judge