

OCT 11 2012

JULIA C. DUDLEY, CLERK
BY: *H. Madano*
DEPUTY CLERK

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

JOHNNY LAMONT VENABLE, III,
Petitioner,

v.

JOAN ZIGLAR,
Respondent.

Civil Action No. 7:12-cv-00130

ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

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

ORDERED

that petitioner's motion to amend is **DENIED**; respondent's motion to dismiss is **GRANTED**;
the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, 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 and counsel of record for respondent.

ENTER: This 1st day of October, 2012.

Jackson L. Kiser
Senior United States District Judge