

FILED
for Roanoke
MAY 23 2012

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

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

ROBERT EARL NOBLE, Petitioner,)	Civil Action No. 7:12-cv-00208
)	
)	
v.)	<u>ORDER</u>
)	
UNKNOWN, Respondent.)	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 is **GRANTED** leave to proceed in forma pauperis; the petition for a writ of mandamus is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and the action is **STRICKEN** from the active docket of the court.

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

ENTER: This 23rd day of May, 2012.

Jackson L. Kiser
Senior United States District Judge