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AT ROANOKE, VA
FILED

DEC 28 2012

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

CALVIN PERRY,	)	**CASE NO. 7:12CV00245**
	)	
Petitioner,	)	
	)	**FINAL ORDER**
vs.	)	
	)	
HAROLD CLARKE, DIRECTOR,	)	**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 is **GRANTED**; the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**; petitioner' s motion for default judgment is **DENIED**; 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 28th day of December, 2012.

Senior United States District Judge

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