

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

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

NOV 02 2012

JARED ALRLEDGE,

Plaintiff,

vs.

HENRY VAN OVER, ET AL.,

Defendant(s).

) CASE NO. 7:12CV00486

) FINAL ORDER

) By: James C. Turk
) Senior United States District Judge

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

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that plaintiff's civil rights complaint under 42 U.S.C. § 1983, alleging he has been wrongfully sentenced based on defendants' conflicts of interest, is hereby **CONSTRUED** as a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, and is summarily **DISMISSED** without prejudice for failure to exhaust state court remedies; and this action is stricken from the active docket of the court. 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 2nd day of November, 2012.

[Signature]
Senior United States District Judge