DEC 2 1 2012

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

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HABAKKUK E. BEN YOWEL,	CASE NO. 7:12CV00569
Plaintiff, )	) ) ) FINAL ORDER
v. ()	)
VIRGINIA DEPARTMENT )	
OF CORRECTIONS DIRECTOR, <u>ET AL.</u> , )	By: James C. Turk Senior United States District Judge
Defendant(s).	)

In accordance with the accompanying memorandum opinion, it is hereby

## ADJUDGED AND ORDERED

that this civil action is **DISMISSED** without prejudice, pursuant to 42 U.S.C. § 1997e(a), for failure to exhaust administrative remedies, plaintiff's motion for restraining order is **DENIED**, and this action is stricken from the active docket of the court.

ENTER: This 2 Mday of December, 2012.

Senior United States District Judge