

DEC 20 2012

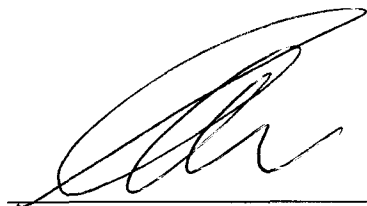
JULIA C. DUDLEY, CLERK
BY: *B. Wilson*
DEPUTY CLERK

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

KENNETH L. GARDNER,)	Civil Action No. 7:12cv00613
)	
Petitioner,)	
)	<u>2241 FINAL ORDER</u>
v.)	
)	
BUREAU OF PRISONS,)	
)	By: Samuel G. Wilson
Respondent.)	United States District Judge

In accordance with the memorandum opinion entered on this day, it is hereby **ORDERED** and **ADJUDGED** that Gardner's petition is **DISMISSED** without prejudice, and this matter is **STRICKEN** from the court's active docket. Further, finding that Gardner has failed to make the requisite substantial showing of the denial of a constitutional right, as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

ENTER: December 20, 2012.



UNITED STATES DISTRICT JUDGE