

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

CARTER W. MATNEY,)	Civil Action No. 7:12-00627
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
OFFICER JAMES H. HALE, <u>et al.</u>,)	By: Hon. Michael F. Urbanski
Defendants.)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ORDERED

that plaintiff's motion to strike the first motion for the court to overturn the conviction and first motion for compensation is **GRANTED** and those two motions are **STRICKEN**; plaintiff's second motion for the court to overturn the conviction is **DENIED**; the Complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1); plaintiff's second motion for compensation is **DENIED** as moot; 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 plaintiff.

Entered: March 11, 2013

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge