


FEB 19 2013

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

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

RICHARD GLENN NEWMAN, JR.,  
Plaintiff,

v.

GERALD A. MCPEAK, et al.,  
Defendants.

) Civil Action No. 7:13-cv-00015  
)  
)  
)

) ORDER  
)  
)

) By: Hon. Michael F. Urbanski  
) United States District Judge  
)


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

**ORDERED**

that 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), 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.

ENTER: This 15<sup>th</sup> day of February, 2013.

  
United States District Judge