

JAN 25 2013

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

BY: CLERK
DEPUTY CLERK

BRUCE DWAYNE BARNES,)	CASE NO. 7:13CV00029
)	
Petitioner,)	
)	
v.)	FINAL ORDER
)	
DIRECTOR, VIRGINIA)	
DEPARTMENT OF CORRECTIONS,)	By: Glen E. Conrad
)	Chief United States District Judge
Respondent.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** without prejudice as successive, all pending motions are **DISMISSED** as moot, and this action is stricken from the active docket of the court.

Further, 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 25th day of January, 2013.

Chief United States District Judge