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

EVERETTE LEE SMITH,)	
Petitioner,)	Civil Action No. 7:13-cv-00089
)	
v.)	<u>ORDER</u>
)	
UNITED STATES OF AMERICA,)	By: Hon. Michael F. Urbanski
Respondent.)	United States District Judge

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

ORDERED

that Smith's 28 U.S.C. § 2241 petition is DISMISSED without prejudice and this action is

STRICKEN from the active docket of the court.

The Clerk of the Court is directed to send copies of this Order and the accompanying

Memorandum Opinion to the parties.

Entered: April 16, 2013

(s/ Michael 7. Urbanski

Michael F. Urbanski United States District Judge