LERICO OFFICE U.S. HIST, COURT

* JULIA C DUDILEY, CLERK BY: DEPUTY CLERK

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

| HUGH KEVIN WOODDELL, |) | Civil Action No. 7:13-ev-00139 |
|----------------------|---|-------------------------------------|
| Petitioner, |) | |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| EARL BARKSDALE, |) | By: Hon. Jackson L. Kiser |
| Respondent. |) | Senior United States District Judge |

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

ORDERED

that respondent's motion to dismiss is **GRANTED**; petitioner's petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to the parties.

ENTER: This 2nd day of July 2013.

Senior United States District Judge