

JUN 20 2013

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

HABAKKUK E. BEN YOWEL,	)	CASE NO. 7:13CV00223
	)	
Plaintiff,	)	
v.	)	FINAL ORDER
	)	
	)	
COMMONWEALTH OF VIRGINIA,	)	
<u>ET AL.</u> ,	)	By: James C. Turk
	)	Senior United States District Judge
Defendant(s).	)	

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the court's order (ECF No. 9) granting plaintiff permission to proceed in this action without prepayment of fees under 28 U.S.C. § 1915 is **VACATED**; plaintiff's application to proceed in forma pauperis is **DENIED**, and this civil action is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915(g); plaintiff's pending motions (ECF Nos. 7 & 8) are **DISMISSED** as moot; and this action is stricken from the active docket of the court.

ENTER: This 20<sup>th</sup> day of June, 2013.

  
Senior United States District Judge