

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

MAR 30 2017

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

KEVIN TERRY DOTSON,  
Petitioner,

Civil Action No.  
Civil Action No. 7:13-cv-00529

v.

ORDER

WARDEN OF KMCC,  
Respondent.

By: Hon. Jackson L. Kiser  
Senior United States District Judge

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

**ORDERED**

that the motion of “extrinsic fraud upon the court” in Civil Action No. 7:13-cv-00529 is construed as a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254; the Clerk **SHALL** set up a new case for the construed § 2254 petition; the construed § 2254 petition is **DISMISSED without prejudice** as successive; a certificate of appealability is **DENIED**; and this action is **STRICKEN** from the active docket.

The Clerk shall send a copy of this Order and the accompanying Memorandum Opinion to Petitioner.

ENTER: This 30<sup>th</sup> day of March, 2017.

  
Senior United States District Judge