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

NOV 1 4 2013

| LESTER CHARLES WELLS, |) CASE NO. 7:13CV00538 |
|-----------------------|---|
| Plaintiff, v. |)) FINAL ORDER) |
| DAVID ITSIHNAR, |) By: James C. Turk Senior United States District Judge |
| Defendant. | |

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this civil action is **DISMISSED** without prejudice as legally frivolous, pursuant to 28 U.S.C.

§ 1915A(b)(1), and this action is stricken from the active docket of the court.

ENTER: This /4 day of November, 2013.

Senior United States District Judge