

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

<b>CURTIS R. SPIVEY, JR.,</b>	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 7:14cv00098</b>
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>UNITED STATES OF AMERICA,</b>	)	<b>By: Michael F. Urbanski</b>
<b>Defendant.</b>	)	<b>United States District Judge</b>

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that the government's motion to dismiss (Docket No. 16) is **DENIED without prejudice** and the United States is **DIRECTED** to file, within thirty days of the entry of this order, a new dispositive motion with detailed information directed to the issue of the timing and impact of the U.S. Parole Commission's detainer.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to the parties.

Entered: February 6, 2015

*Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge