

APR 25 2014

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

ROBERT A. UNGER,	)	Civil Action No. 7:14-cv-00196
Petitioner,	)	
	)	<b>ORDER</b>
v.	)	
	)	By: Hon. James C. Turk
JAMES WHITLEY,	)	Senior United States District Judge
Respondent.	)	

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

**ORDERED**

that the petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, is **DISMISSED without prejudice** as unexhausted; a certificate of appealability is **DENIED**; all pending motions are **DENIED** as moot; and the action is **STRICKEN** from the active docket of the court.

The Clerk shall send certified copies of this Order and the accompanying Memorandum Opinion to Petitioner.

ENTER: This 25<sup>th</sup> day of April, 2014.

*James C. Turk*  
\_\_\_\_\_  
Senior United States District Judge