

MAR 22 2016

JULIA C. DUNDEY, CLERK
BY: 
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION


HOWARD Z. GARNETT,)	CASE NO. 7:14CV00452
)	
Petitioner,)	
v.)	ORDER
)	
)	
HAROLD CLARKE, DIRECTOR,)	By: Hon. Glen E. Conrad
)	Chief United States District Judge
Respondent.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that petitioner's Rule 60(b) motion (ECF No. 31) is **DENIED**; his request for production of documents related to the Rule 60(b) motion (ECF No. 35) is **DISMISSED** as moot; and this habeas action is hereby **STRICKEN** from the active docket of the court; furthermore, the Rule 60(b) motion is hereby **CONSTRUED** as a second or successive petition for a writ of habeas corpus under 28 U.S.C. § 2254, and the clerk **SHALL** docket it as such in a separate civil action.

ENTER: This 22nd day of March, 2016.



Chief United States District Judge