

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

<p>NICHOLAS D. BROOKS,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>HAROLD W. CLARKE,</p> <p style="text-align: center;">Respondent.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>CASE NO. 7:14CCV00536</p> <p>FINAL ORDER</p> <p>By: Norman K. Moon United States District Judge</p>
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In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** as untimely filed, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 8th day of May, 2015.



 NORMAN K. MOON
 UNITED STATES DISTRICT JUDGE