CLERKS OFFICE U.S. DIST. COURT AT DANVILLE, VA FILED

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

FEB 1 7 2016

JULIA C. DUDLEY, CLERK

DEPUTY CLERK

BY: HMcOchaed

SCOTT FITZGERALD CARTER, SR.,

Plaintiff,

Civil Action No. 7:15-cv-00083

<u>ORDER</u>

JACK COX, et al., Defendants.

v.

By: Hon. Jackson L. Kiser

Senior United States District Judge

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

ORDERED

that the complaint is **DISMISSED without prejudice** pursuant to Fed. R. Civ. P. 41(b); all pending motions are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk shall send copies of this Order and the accompanying Memorandum Opinion to plaintiff and counsel of record for defendants.

ENTER: This _____ day of February, 2016.

Senior United States District Judge