

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

|                  |   |                              |
|------------------|---|------------------------------|
| CLARENCE TURNER, | ) |                              |
| Petitioner,      | ) | Civil Action No. 7:15cv00200 |
|                  | ) |                              |
| v.               | ) |                              |
|                  | ) | By: Elizabeth K. Dillon      |
| HAROLD CLARKE,   | ) | United States District Judge |
| Respondent.      | ) |                              |

**FINAL ORDER**

In accordance with the memorandum opinion entered this day, it is hereby ORDERED that Turner's 28 U.S.C. § 2254 petition is DISMISSED without prejudice and this action is STRICKEN from the active docket of the court.

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

The Clerk is directed to send copies of this order and accompanying memorandum opinion to Turner.

Entered: January 5, 2016.

*/s/ Elizabeth K. Dillon*  
 Elizabeth K. Dillon  
 United States District Judge