

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

APR 13 2017

JULIA C. DUDLEY, CLERK  
BY: *H. McDonald*  
DEPUTY CLERK

ORLANDO HARVEY,	)	CASE NO. 7:16CV00131
	)	
Petitioner,	)	
v.	)	ORDER
	)	
HAROLD W. CLARKE,	)	By: Hon. Jackson L. Kiser
	)	Senior United States District Judge
Respondent.	)	

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that the motion to dismiss (ECF No. 15) is **GRANTED**, the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**, and the clerk shall **STRIKE** this action 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 13<sup>th</sup> day of April, 2016.

  
Senior United States District Judge