

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

<p>TROY PETERSON,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>EARL R. BARKSDALE, <u>ET AL.</u>,</p> <p style="text-align: center;">Defendant(s).</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>CASE NO. 7:16CV00146</p> <p>FINAL ORDER</p> <p>By: Robert S. Ballou United States Magistrate Judge</p>
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In accordance with the accompanying memorandum opinion, it is hereby **ADJUDGED AND ORDERED** as follows:

1. Peterson’s motion for leave to file an amended complaint, motion for default judgment, and motion for summary judgment (ECF Nos. 16, 23, and 33) are **DENIED**;
2. Defendants’ motion for protective order and motion for summary judgment (ECF Nos. 17 and 28) are **GRANTED**; Peterson’s claims for monetary damages concerning his religious diet are **DISMISSED WITH PREJUDICE** as without merit; and his other claims are **DISMISSED WITHOUT PREJUDICE** under 42 U.S.C. § 1997e(a) for failure to exhaust administrative remedies before filing this action; and
3. The clerk shall **STRIKE** this action from the active docket of the court.

Enter: March 31, 2017

1s/ Robert S. Ballou

Robert S. Ballou
United States Magistrate Judge