Ross v. Fleming Doc. 28

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

JERAD MICHAEL ROSS,	)	**CASE NO. 7:16CV00222**
Petitioner,	)	
	)	
v.	)	**FINAL ORDER**
	)	
LESLIE J. FLEMING, WARDEN,	)	**By: Norman K. Moon**
WALLENS RIDE STATE PRISON,	)	**Senior United States District Judge**
Respondent.	)	

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** as follows:

(1) The Respondent's motion to dismiss (ECF No. 12) is **GRANTED**;

(2) This action is **STRICKEN** from the active docket of this court; and

(3) Concluding that Ross 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 the accompanying Memorandum Opinion to the parties.

ENTER: This 10th day of March, 2017.

NORMAN K. MOON
UNITED STATES DISTRICT JUDGE

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