

JUN 28 2017

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

JULIA C. DODLEY CLERK
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| WILLIAM HENRY LEE, |) | CASE NO. 7:16CV00413 |
| |) | |
| Petitioner, |) | |
| v. |) | FINAL ORDER |
| |) | |
| HAROLD CLARKE, DIRECTOR |) | By: Hon. Glen E. Conrad |
| |) | Chief United States District Judge |
| |) | |
| Respondent. |) | |

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that respondent's motion to dismiss (ECF No. 11) is **GRANTED**, and the petition for a writ of habeas corpus (ECF No. 1) under 28 U.S.C. § 2254 is **DISMISSED** as untimely filed. This action is stricken 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 28th day of June, 2017.



Chief United States District Judge