

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

ROBERT ALLEN UNGER,)	
Plaintiff,)	Civil Action No. 7:16cv00471
)	
v.)	ORDER
)	
WARDEN JAMES WHITLEY,)	By: Norman K. Moon
Defendant.)	United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that Unger’s complaint filed pursuant to 42 U.S.C. § 1983 is **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915A(b)(1) for failing to state a claim and this matter is **STRICKEN** from the active docket of the court.

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

ENTER: This 21st day of October, 2016.



 NORMAN K. MOON
 UNITED STATES DISTRICT JUDGE