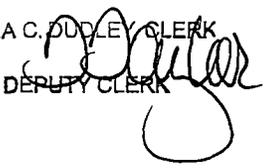


DEC 22 2016

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

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

LOWELL MILLER,)	CASE NO. 7:16CV00492
)	
Petitioner,)	
v.)	FINAL ORDER
)	
VIRGINIA DEPARTMENT)	By: Hon. Glen E. Conrad
OF CORRECTIONS, <u>ET AL.</u> ,)	Chief United States District Judge
)	
Respondents.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** as untimely filed, and the 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 22nd day of December, 2016.



Chief United States District Judge