

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

ROBERT LEE KIMBERLY, JR.,)
)
 Plaintiff,)
)
 v.)
)
 DEPT. OF CORRECTIONS,)
)
 Defendant.)

Case No. 7:17CV00197

FINAL ORDER

By: James P. Jones
United States District Judge

For the reasons set forth in the Opinion accompanying this Final Order, it is **ORDERED** that this action pursuant to 42 U.S.C. § 1983, is summarily **DISMISSED** under 28 U.S.C. § 1915A(b)(1) as frivolous; and the clerk shall close the case.

ENTER: June 9, 2017

/s/ James P. Jones
United States District Judge