

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

BRIAN OMAR BRAXTON, SR.,)	CASE NO. 7:17CV00422
Petitioner,)	
)	
v.)	<u>FINAL ORDER</u>
)	
FAULKNER, et al.,)	By: Norman K. Moon
Respondent.)	Senior United States District Judge

For the reasons set forth in the Opinion accompanying this Final Order, this action, construed as a Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2254, is **DISMISSED** without prejudice for failure to exhaust available state court remedies.

The clerk shall close the case. Because the defendant has not made a substantial showing of the denial of a constitutional right, a certificate of appealability is **DENIED**.

It is so **ORDERED**.

ENTER: This 22nd day of May, 2018.



 NORMAN K. MOON
 SENIOR UNITED STATES DISTRICT JUDGE