

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JOHN FENTON WHEELER,

Plaintiff,

v.

**UNITED STATES DEPARTMENT OF
JUSTICE,**

Defendant.

Civil Action No. 02-604 (RMC)

ORDER

For the reasons stated in the Memorandum Opinion filed separately and contemporaneously herewith, it is hereby

ORDERED that Defendant's Motion for Summary Judgment [Dkt. # 88] is **GRANTED**; and it is

FURTHER ORDERED that Plaintiff's Cross-Motion for Summary Judgment [Dkt. # 92] is **DENIED**; and it is

FURTHER ORDERED that the case is dismissed from the Court's docket. This is a final appealable order. *See* Fed. R. App. P. 4(a).

/s/

ROSEMARY M. COLLYER
United States District Judge

DATE: November 21, 2006