Epps v. Zerkin Doc. 8

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

FILED
JAN 28 2009
CLERK, U.S. DISTRICT COURT
RICHMOND, VA

HUGH ROYAL EPPS,

Plaintiff,

v. Civil Action No. **3:08CV807**

GERALD THOMAS ZERKIN,

Defendant.

MEMORANDUM OPINION

Plaintiff, a federal inmate, submitted this action. By Memorandum Order entered December 23, 2008, the Court conditionally filed the action. A complaint must contain "a short and plain statement of the grounds for the court's jurisdiction." Fed. R. Civ. P. 8(a)(1). Plaintiff's complaint did not comply with the above requirement. Therefore, in the December 23, 2008 Memorandum Order the Court directed Plaintiff, within eleven (11) days of the date of entry thereof, to submit a document entitled "Statement of Jurisdiction" which identified the statute that conferred jurisdiction upon the Court to entertain his present action and explain why that statute applied. More than eleven (11) days have elapsed since the entry of the December 23, 2008 Memorandum Order and Plaintiff has not complied with the Court's directive to submit a "Statement of Jurisdiction." Accordingly, the present action will be DISMISSED WITHOUT PREJUDICE. *See* Fed. R. Civ. P. 8(a)(1), 41(b).

An appropriate Order shall issue.

Dated: 1-28-09
Richmond, Virginia

/s/
James R. Spencer
Chief United States District Judge

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