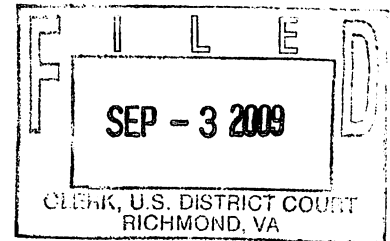


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



SHAWN HUGHES,

Plaintiff,

v.

Civil Action No. 3:09CV323

STATE OF MARYLAND, et al.,

Defendants.

MEMORANDUM OPINION

On June 2, 2009, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed in forma pauperis. By Memorandum Order entered on July 2, 2009, the Court directed Plaintiff to pay an initial partial filing fee of \$39.84 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. See 28 U.S.C. § 1915(b)(1). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed in forma pauperis. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Plaintiff.

An appropriate Order shall issue.

_____/s/ REP
Robert E. Payne
Senior United States District Judge

Date: September 3, 2009
Richmond, Virginia