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

JAMES W. PIETROPINTO,

Plaintiff,

v. Civil Action No. **3:09CV548**

R.C. HEDMAN, *et al.*,

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on September 10, 2009, the Court conditionally docketed Plaintiff's action. In that Memorandum Order, the Court warned Plaintiff that failure to immediately advise the Court of his new address in the event of transfer, release, or other relocation would result in dismissal of the action. On September 17, 2009, the September 10, 2009 Memorandum Order was returned to the Court by the United States Postal Service marked, "RETURN TO SENDER NOT AT THIS ADDRESS." Plaintiff's failure to apprise the Court of his current address indicates a lack of interest in prosecuting the present action *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

It is so ORDERED.

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

Date: 11/6/09
Richmond, Virginia