

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

JEREMIAH EZEKIEL COX,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:20CV374–HEH
)	
C. SMITH,)	
)	
Defendant.)	

MEMORANDUM OPINION
(Dismissing Action Without Prejudice)

On July 6, 2020, the Court conditionally docketed Plaintiff’s action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on July 30, 2020, the Court directed Plaintiff to pay an initial partial filing fee of \$0.73 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 failed to do either. Instead, Plaintiff sent the Court a copy of his request for his trust account information that he sent to the institution. By Memorandum Order entered on August 19, 2020, the Court informed Plaintiff that he must comply with the orders of the Court if he wished to continue to litigate this action. The Court provided Plaintiff with an additional eleven (11) days in which to pay the fee.

More than eleven (11) days have elapsed and 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.

An appropriate Order shall accompany this Memorandum Opinion.



/s/

HENRY E. HUDSON
SENIOR UNITED STATES DISTRICT JUDGE

Date: Sept. 14, 2020
Richmond, Virginia