Smith v. Unknown

Doc. 4

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

RASHAUN SMITH,

Petitioner,

V.

Civil Action No. 3:20CV513

UNKNOWN,

Respondent.

MEMORANDUM OPINION

Petitioner, a federal prisoner proceeding pro se, submitted a petition for a writ of habeas

corpus pursuant to 28 U.S.C. § 2241. By Memorandum Order entered on September 3, 2020, the

Court directed Petitioner, within fifteen (15) days of the date of entry thereof, to complete and

return the standardized form for filing a § 2241 petition as required by Eastern District of Virginia

Local Civil Rule 83.4(A). The Court warned Petitioner that the failure to comply with the above

directive would result in the dismissal of the action without prejudice. See Fed. R. Civ. P. 41(b).

More than fifteen (15) days have elapsed since the entry of the September 3, 2020

Memorandum Order and Petitioner has not responded. Accordingly, the action will be

DISMISSED WITHOUT PREJUDICE. A certificate of appealability will be DENIED.

An appropriate Order shall accompany this Memorandum Opinion.

Date: October 2020 Richmond, Virginia

> John A. Gibney, Jr. / United States District Judge