

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

PAUL NOLAND,

Plaintiff,

v.

Civil Action No. 3:21cv291

UNKNOWN,

Defendant.

MEMORANDUM OPINION

Plaintiff, a Virginia inmate proceeding *pro se*, submitted a letter complaining about his ongoing incarceration in a state facility and asking the Court to “help” him. (Compl. 1, ECF No. 1.) By Memorandum Order entered on June 2, 2021, the Court explained that it may not provide advice to litigants (and that this Court could not order his release from detention). (June 2, 2021 Mem. Order 1, ECF No. 2.) However, the Court directed the Clerk to mail Plaintiff a standardized form for filing a 42 U.S.C. § 1983 complaint. (*Id.*) The Court explained that if Plaintiff wished to file a complaint at this time, he should complete and return the form to the Court within fourteen (14) days of the date of entry thereof. (*Id.*) The Court noted that if Plaintiff failed to take any action within that time, the Court would dismiss the action without prejudice. (*Id.*); *see* Fed. R. Civ. P. 41(b).¹

¹ This Rule allows for dismissal when “the plaintiff fails to prosecute or to comply with [the Federal Rules of Civil Procedure] or a court order.” Fed. R. Civ. P. 41(b).

More than fourteen (14) days have elapsed and Plaintiff has not completed and returned the § 1983 complaint form. Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

Date: 10-19-21
Richmond, Virginia



M. Hannah Latck
United States District Judge