

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

Richmond Division

MICHAEL MONTOTO,  
Plaintiff,

v.

Civil No. 3:21cv354(DJN)


JIM O’SULLIVAN, *et al.*,  
Defendants.

**MEMORANDUM OPINION**

By Memorandum Order entered on June 22, 2021, the Court conditionally docketed Plaintiff’s civil action. (ECF No. 2.) On August 2, 2021, the United States Postal Service returned the June 22, 2021 Memorandum Order to the Court marked, “RETURN TO SENDER” and “ADDRESSEE NOT IN OUR FACILITY.” Since that date, Plaintiff has not contacted the Court to provide a current address. Plaintiff’s failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action under Federal Rule of Civil Procedure 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Let the Clerk file a copy of the Memorandum Opinion electronically and send a copy to Plaintiff.

/s/   
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David J. Novak  
United States District Judge

Richmond, Virginia  
Dated: August 9, 2021