

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

STEPHEN LAMARCK ROBERTS,
Plaintiff,

Civil Action No. 7:20-cv-00484

v.

MARK ENGELKE, et al,
Defendant(s),

OPINION

By: James P. Jones
United States District Judge

Plaintiff, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. §1983. By order entered August 18, 2020, the court directed plaintiff to submit within 20 days from the date of the order the inmate account statement for the month of July, 2020 in order to continue the process of applying to proceed without prepayment of the filing fee. On August 31, 2020, plaintiff filed and was granted an extension of time to September 30, 2020 to submit the required statement. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 8th day of October, 2020.

/s/James P. Jones
United States District Judge