Dellinger v. Downs Doc. 19

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

JOHN C. DELLINGER, JR.,	)	
	)	
Plaintiff,	)	**Civil Action No. 7:21cv00209**
	)	
v.	)	**MEMORANDUM OPINION**
	)	
ANTHONY DOWNS, *et al.*,	)	**By: Hon. Thomas T. Cullen**
	)	**United States District Judge**
Defendant.	)	

Plaintiff John Charles Dellinger, Jr., proceeding *pro se,* filed this civil action under 42 U.S.C. § 1983. By conditional filing orders entered April 12 and 27, 2020, the court advised Dellinger that he must notify the court in writing immediately upon his transfer or release *and* must provide the court with his new address. (*See* ECF Nos. 3 and 5.) On September 15 and October 13, 2021, mail sent to Dellinger was returned to the court as undeliverable and with no forwarding address. (*See* ECF Nos. 13 and 18.) Dellinger has not provided the court with an updated address. Accordingly, the court will dismiss this action without prejudice for failure to comply with the court's order. The court notes that this dismissal is without prejudice to Dellinger's opportunity to refile his claims in a separate civil action, subject to the applicable statute of limitations.

ENTERED this 14th day of October, 2021.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE

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