

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

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

April 17, 2024
LAURA A. AUSTIN, CLERK
BY:
/s/T. Taylor
DEPUTY CLERK

PATRICK JACQUES,
Plaintiff,

Civil Action No. 7:23-cv-00769

v.

STAFF MEMBERS AT U.S.P. LEE, et al.,
Defendant(s).

MEMORANDUM OPINION

By: Robert S. Ballou
United States District Judge

Plaintiff, proceeding pro se, filed a civil rights complaint, pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). By order entered March 8, 2024, the court directed plaintiff to submit within 30 days from the date of the order the consent to withholding of filing fees form in order to complete the application to proceed without the prepayment of the filing fee. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 30 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: April 17, 2024

/s/ Robert S. Ballou

Robert S. Ballou
United States Magistrate Judge