Carter v. United States of America District Court of Virginia Doc. 4

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

JUN 17 2009

KEITH LEE CARTER,

Petitioner,

v.

Civil Action No. 3:09CV248

UNITED STATES OF AMERICA DISTRICT COURT OF VIRGINIA,

Respondent.

MEMORANDUM OPINION

By Memorandum Order entered May 14, 2009, the Court ordered Petitioner to either file a § 2255 motion or file a notice of intent to proceed pursuant to § 2241. On May 26, 2009, the Memorandum Order was returned to the Court by the United States Postal Service marked "RTS - NOT HERE," "RETURN TO SENDER," "ATTEMPTED - NOT KNOWN," and "UNABLE TO FORWARD." Petitioner's failure to keep the Court apprised of his current address indicates his lack of interest in prosecuting the present action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action is DISMISSED WITHOUT PREJUDICE.

It is so ORDERED.

/s/
Richard L. Williams
United States District Judge

Date: JUN 17 2009
Richmond, Virginia

Dockets.Justia.com