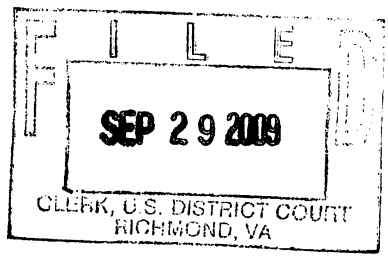
Woody v. Unknown Doc. 4

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



JAMES P. WOODY,

Petitioner,

v. Civil Action No. **3:09CV453**

UNKNOWN,

Respondent.

MEMORANDUM OPINION

Petitioner, proceeding *pro se*, submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. By Memorandum Order on July 30, 2009, the Court directed Petitioner, within fifteen (15) days of the date of entry thereof, to complete and return an affidavit in support of his request to proceed or pay the $5.00 filing fee. More than fifteen (15) days have passed and Petitioner has not returned the required *in forma pauperis* affidavit.

Petitioner has failed to pay the assessed fee or adequately explain any special circumstances warranting excuse from payment. Accordingly, the petition will be DISMISSED WITHOUT PREJUDICE.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion to Petitioner.

An appropriate Order shall issue.

/s/
Richard L. Williams
United States District Judge

Dated: SEP 29 2009
Richmond, Virginia

Dockets.Justia.com