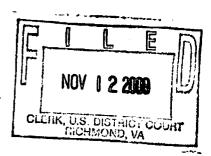
## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division



JAMES W. PIETROPINTO,

Plaintiff,

٧.

Civil Action No. 3:09CV548

R.C. HEDMAN, et al.,

Defendants.

## **MEMORANDUM OPINION**

By Memorandum Order entered on September 10, 2009, the Court conditionally docketed Plaintiff's action. In that Memorandum Order, the Court warned Plaintiff that failure to immediately advise the Court of his new address in the event of transfer, release, or other relocation would result in dismissal of the action. On September 17, 2009, the September 10, 2009 Memorandum Order was returned to the Court by the United States Postal Service marked, "RETURN TO SENDER NOT AT THIS ADDRESS." Plaintiff's failure to apprise the Court of his current address indicates a lack of interest in prosecuting the present action *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

It is so ORDERED.

/9/

James R. Spencer

Chief United States District Judge

Date: 1/6/09 Richmond, Wirginia