Sanchez v. Wheeler et al Doc. 6

FILED
JAN - 7 2010
CLERK, U.S. DISTRICT COURT
RICHMOND, VA

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

MARIA ADELAIDA SANCHEZ,

Plaintiff,

v. Civil Action No. **3:09CV553**

B.J. WHEELER, *et al.*,

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on December 4, 2009, the Court directed Plaintiff to complete and return an *in forma pauperis* affidavit. The Court warned Plaintiff that a failure to comply with the above directive within eleven (11) days of the date of entry thereof would result in summary dismissal of the action. Plaintiff has not complied with the orders of this Court. Plaintiff failed to return a completed *in forma pauperis* affidavit form. As a result, she does not qualify for *in forma pauperis* status. Furthermore, she has not paid the statutory filing fee for the instant complaint. *See* 28 U.S.C. § 1914(a). Such actions demonstrate a wilful failure to prosecute. *See* Fed. R. Civ. P. 41(b). Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

It is so ORDERED.

/s/
James R. Spencer
Chief United States District Judge

Date: 1-7-10
Richmond, Virginia

Dockets.Justia.com