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

FEB 2 3 2010

MATTHEW SPILLMAN,

Plaintiff,

v.

Civil Action No. 3:09CV778

CHARLES S. SHARP,

Defendant.

MEMORANDUM OPINION

Plaintiff, a former Virginia inmate, has submitted this civil action. By Memorandum Order entered on January 13, 2010, the Court informed Plaintiff that his complaint did not comply with Federal Rule of Civil Procedure 8(a) and directed Plaintiff to submit an appropriate complaint within twenty (20) days of the date of entry thereof. The Court warned Plaintiff that failure to comply with the above requirement would result in the dismissal of the action without prejudice. *See* Fed. R. Civ. P. 41(b).

More than twenty (20) days have elapsed since the entry of the January 13, 2010

Memorandum Order. Plaintiff has not submitted an appropriate complaint. Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall issue.

Date:

FEB 2 3 2010!

Richmond, Virginia

/s/

Richard L. Williams

United States District Judge