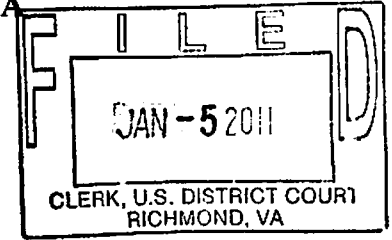


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



TEHGRAIN JONES,)
)
Plaintiff,)
)
v.)
)
HAMPTON ROADS REGIONAL JAIL)
CORRECTIONAL FACILITY,)
)
Defendant.)

Civil Action No. 3:10CV704

MEMORANDUM OPINION
(Dismissing 42 U.S.C. § 1983 Action)

By Memorandum Order entered on October 15, 2010, the Court conditionally docketed Plaintiff's action. At that time, the Court directed Plaintiff to affirm his intention to pay the full filing fee by signing and returning a consent to the collection of fees form. The Court warned Plaintiff that a failure to comply with the above directive within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

Plaintiff has not complied with Court's order to return a consent to collection of fees form. As a result, he does not qualify for *in forma pauperis* status. Furthermore, he has not paid the statutory filing fee for the instant complaint. See 28 U.S.C. § 1914(a). Plaintiff's 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.

Date: January 5, 2011
Richmond, Virginia

_____/s/ *RF*
Robert F. Payne
Senior United States District Judge