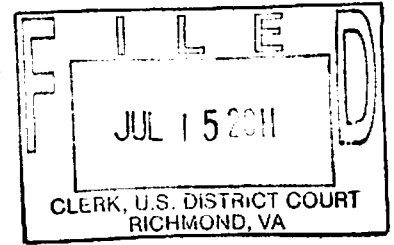


**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**



**MICHAEL HENRY HEARN,**

Plaintiff,

v.

Civil Action No. **3:11CV330**

**UNITED STATES,**

Defendant.

**MEMORANDUM OPINION**

Michael Henry Hearn, a Mississippi state prisoner, mailed a 125-page document to the Court. The first page is titled "NOTICE OF MOTION." (Docket No. 1.) By Memorandum Order entered on June 13, 2011, the Court ordered Hearn to submit a filing fee of \$350.00 within eleven (11) days of the date of entry thereof. The Court warned Hearn that failure to do so would result in summary dismissal of the action without prejudice. More than eleven (11) days have passed, and Hearn has not submitted the filing fee for this action.<sup>1</sup> Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be **DISMISSED WITHOUT PREJUDICE**.

In accordance with the June 13, 2011 Memorandum Order, the Clerk will be **DIRECTED** to **SEND** Plaintiff's initial submission (Docket No. 1) back to him without filing it.

An appropriate Order will accompany this Memorandum Opinion.

It is so **ORDERED**.

\_\_\_\_\_  
/s/ *[Signature]*  
**John A. Gibney, Jr.**  
United States District Judge

Date:  
Richmond, Virginia

\_\_\_\_\_  
*7/14/11*

<sup>1</sup> Hearn is precluded from proceeding *in forma pauperis* in any 28 U.S.C. § 1983 action. (June 13, 2011 Mem. Order.)