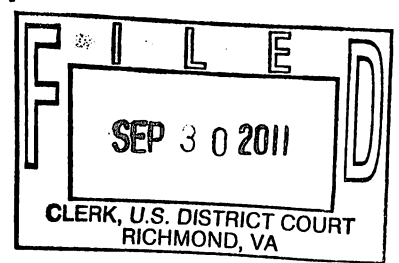


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



**CHARLES CHIATON,**

Petitioner,

v.

Civil Action No. **3:11CV504**

**UNKNOWN,**

Respondent.

**MEMORANDUM OPINION**

By Memorandum Order entered on August 17, 2011, the Court conditionally docketed Plaintiff's action. The Memorandum Order warned Plaintiff that he must immediately advise the Court of his new address in the event that is transferred or relocated. On August 30, 2011, the August 17, 2011 Memorandum Order was returned to the Court by the United States Postal Service marked, "Return To Sender: Undeliverable/No Longer Here." Plaintiff's failure to keep the Court apprised of his current address indicates his lack of interest in prosecuting the present action. See Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion to Plaintiff.

It is so ORDERED.

\_\_\_\_\_/s/ *REP*  
Robert E. Payne  
Senior United States District Judge

Date: *September 29, 2011*  
Richmond, Virginia