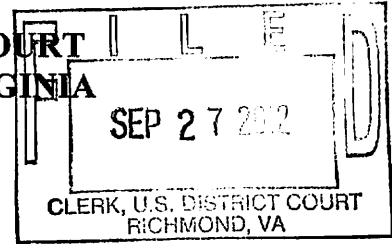


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**




ANTHONY McCOY,)
)
Plaintiff,)
)
v.)
)
WARDEN KELLY, *et al.*,)
)
Defendants.)

Civil Action No. 3:11CV598

MEMORANDUM OPINION
(Dismissing Complaint under Civil Rights Act 42 U.S.C. § 1983)

Anthony McCoy, a Virginia prisoner proceeding *pro se* and *in forma pauperis*, submitted this action pursuant to 42 U.S.C. § 1983. On April 24, 2012, the Court issued a Memorandum Order informing McCoy that his Complaint “fail[ed] to provide each defendant with fair notice of the facts and legal basis upon which his or her liability rests.” (ECF No. 10 [hereinafter “April 24, 2012 Memorandum Order”]. at 1 (citation omitted).) The April 24, 2012 Memorandum Order directed McCoy to submit, within fourteen (14) days of the date of entry thereof, a particularized complaint conforming to the directions set out in the same Memorandum Order. The April 24, 2012 Memorandum Order warned McCoy that “[f]ailure to comply with the foregoing directions [would] result in the dismissal of the action.” (*Id.* at 2 (citation omitted).) McCoy failed to comply with the April 24, 2012 Memorandum Order. McCoy has not communicated with the Court since October 24, 2011. Accordingly, this action will be **DISMISSED WITHOUT PREJUDICE.**

An appropriate Order will accompany this Memorandum Opinion.

 /s/ _____
Henry E. Hudson
United States District Judge

Date: Sept 23, 2012
Richmond, Virginia