

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

DWAYNE BERNARD HAYES,

Plaintiff,

v.

Civil Action No. **3:12CV02**

M.A. LOPEZ,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on February 10, 2012, the Court conditionally docketed Plaintiff's civil action. The February 10, 2012 Memorandum Order warned Plaintiff that the Court would dismiss the action if he failed to keep the Court informed of his current address. On March 18, 2013, the United States Postal Service returned a March 1, 2013 Memorandum Order to the Court marked, "RETURN TO SENDER," "ATTEMPTED-NOT KNOWN," and "UNABLE TO FORWARD." Since that date, Plaintiff has not contacted the Court to provide a current address. Plaintiff's failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be **DISMISSED WITHOUT PREJUDICE**.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 4-24-13
Richmond, Virginia

/s/
James R. Spencer
United States District Judge