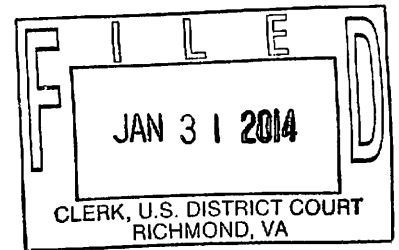


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



RAHEEM S. AL-AZIM, *et al.*,

Plaintiffs,

v.

Civil Action No. 3:12CV739

J. EVERETT, *et al.*,

Defendants.

MEMORANDUM OPINION

The Court received a 42 U.S.C. § 1983¹ complaint from Virginia inmates Johnathan Lee X Smith (“Mr. Smith”),² Raheem S. Al-Azim, Charles X, Victor X, Cedrick X, and Tribble X. By Memorandum Opinion and Order entered on June 24, 2013, the Court dismissed Mr. Smith as a party to the present action. (ECF Nos. 7–8.) On July 1, 2013, the Court dismissed Tribble X as a party to the action pursuant to a request for that action by Tribble X. (ECF No. 9.) By Memorandum Opinion and Order entered on October 21, 2013, the Court dismissed Cedric X as a party to the action and denied the requests of Al-Azim, Charles X, and Victor X (hereinafter “Plaintiffs”) to proceed *in forma pauperis* and directed Plaintiffs to submit the \$350.00 filing fee within fifteen (15) days of the date of entry thereof. Thereafter, by Memorandum Order entered

¹ That statute provides, in pertinent part:

Every person who, under color of any statute . . . of any State . . . subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law

42 U.S.C. § 1983.

² Although Mr. Smith omitted his last name from his current submissions, for ease of reference the Court employs that name when referring to Mr. Smith.

on January 3, 2014, the Court granted Plaintiffs an extension of fifteen (15) days from the date of entry thereof to submit the full filing fee.

More than fifteen (15) days have elapsed since the entry of the January 3, 2014 Memorandum Order and Plaintiffs have not submitted the full filing fee.³ Accordingly, the action will be DISMISSED WITHOUT PREJUDICE. Plaintiffs' Motion to Amend (ECF No. 29) and Motion to Dismiss Claims 5-6 and 8-11 (ECF No. 13) will DENIED AS MOOT.

An appropriate Final Order will accompany this Memorandum Opinion.

Date: 1-30-14
Richmond, Virginia

/s/
James R. Spencer
United States District Judge

³ On January 16, 2014, the Court received a check for \$116.00 from Victor X. On January 24, 2014, the Court received a \$117.00 check from Al-Azim.