

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

TERENCE LINWOOD LOCKETT, SR.,

Plaintiff,

v.

Civil Action No. 3:13CV209

EARNEST TONEY, *et al.*,

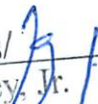
Defendants.

MEMORANDUM OPINION

On May 9, 2013, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on July 9, 2013, the Court directed Plaintiff to pay an initial partial filing fee of \$3.22 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate order shall issue.

Date: 9/18/13  
Richmond, Virginia

/s/   
John A. Gibney, Jr.  
United States District Judge