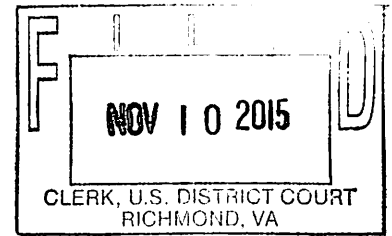


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



KEVIN LEON SMITH,

Plaintiff,

v.

Civil Action No. **3:13CV638**

ALBERT FARGO, et al.,

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on October 22, 2013, the Court conditionally docketed Plaintiff's action. At that time, the Court warned Plaintiff that he must keep the Court informed as to his current address if he moved or was transferred. By Memorandum Opinion and Order entered on October 16, 2015, the Court granted in part and denied in part Defendants' Motion to Dismiss. On November 6, 2015, the United States Postal Service returned the October 16, 2015 Memorandum Opinion and Order to the Court marked, "NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD" because Plaintiff apparently relocated. 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: *11-10-15*
Richmond, Virginia

/s/
James R. Spencer
Senior U. S. District Judge