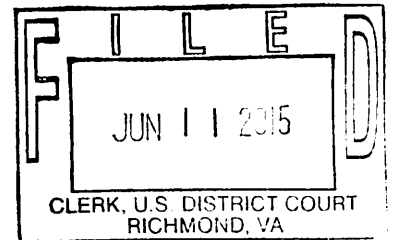


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



JOHN DAVID McBRIDE,

Plaintiff,

v.

Civil Action No. **3:14CV497**

COMMONWEALTH OF VIRGINIA, et al.,

Defendants.

MEMORANDUM OPINION

Plaintiff, a former Virginia inmate proceeding *pro se* and *in forma pauperis*, filed this action. Plaintiff's Complaint fails to comply with Federal Rule of Civil Procedure 8(a) in that it fails to contain a "short and plain statement of the grounds for the court's jurisdiction" and fails to provide "a short and plain statement of [his] claim." Fed. R. Civ. P. 8(a)(1) & (2).

Accordingly, by Memorandum Order entered on March 16, 2015, the Court directed Plaintiff, within fourteen (14) days of the date of entry thereof, to file a particularized complaint. The Court provided specific instructions with respect to the filing of a particularized complaint, including labelling the document as a particularized complaint. The Court warned Plaintiff that the failure to file a particularized complaint would result in the dismissal of the action. *See* Fed. R. Civ. P. 41(b).

On April 6, 2015, Plaintiff moved for an extension of time to comply with the March 16, 2015 Memorandum Order.¹ By Memorandum Order entered on April 27, 2015, the Court granted Plaintiff an extension of fifteen (15) days from the date of entry thereof to submit a

¹ On April 22, 2015, Plaintiff submitted a document to the Court. The document is not labeled as a particularized complaint, fails to provide a short plain statement of the Court's jurisdiction, and otherwise fails to comply with the Court's instructions for filing a particularized complaint. (*See* ECF No. 18.)

particularized complaint. More than fifteen (15) days have elapsed since the entry of the April 27, 2015 Memorandum Order and Plaintiff has not filed a particularized complaint.

Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order will accompany this Memorandum Opinion.

Date: *8-11-15*
Richmond, Virginia

<i>/s/</i> _____ James R. Spencer Senior U. S. District Judge
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