

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

CLARENCE A. BRANCH,

Plaintiff,

v.

Civil Action No. 3:14CV708

RONALD C. MACHEN

and

IRVIN B. NATHAN,

Defendants.

MEMORANDUM OPINION

This matter comes before the Court pursuant to the Court's Memorandum Opinion and Order entered November 25, 2014. (ECF Nos. 2–3.) After granting Branch leave to proceed in forma pauperis, the Court found that Branch failed to state a claim upon which relief may be granted and dismissed his complaint pursuant to 28 U.S.C. § 1915(e)(2).¹ The Court granted Branch an opportunity to file an amended complaint, provided he did so within fourteen (14) days of the entry of the Memorandum Opinion and Order. The Court warned Branch that failure to comply with the Court's directives would result in dismissal of this action.

¹ The statute reads, in pertinent part:

Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that: **(A)** the allegation of poverty is untrue; or **(B)** the action or appeal **(i)** is frivolous or malicious; **(ii)** fails to state a claim on which relief may be granted; or **(iii)** seeks monetary relief against a defendant who is immune from such relief.

28 U.S.C. § 1915(e)(2) (2014).

