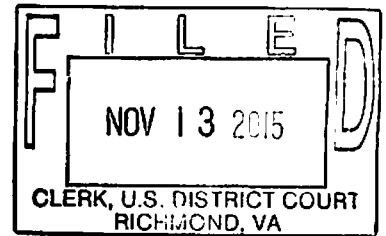


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



JULIO C. CARDENAS,

Plaintiff,

v.

Civil Action No. 3:15CV192

U.S. MARSHAL SERVICE,

Defendant.

**MEMORANDUM OPINION**

By Memorandum Opinion and Order entered on June 9, 2015, the Court dismissed the action because Julio C. Cardenas failed to comply with the orders of this Court. By Memorandum Opinion and Order entered on July 31, 2015, the Court granted Cardenas's Rule 59(e) Motion, vacated the June 9, 2015 Order, and reopened the action. By Memorandum Order entered August 20, 2015, the Court directed Cardenas to submit an initial partial filing fee of \$45.74 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). By Memorandum Order entered on September 16, 2015, the Court granted Cardenas a thirty-day extension of time in which to pay the initial partial filing fee.

More than thirty days have expired and Cardenas has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Cardenas is not entitled to proceed

in forma pauperis. Cardenas's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Cardenas.

                                           /s/ *REP*  
Robert E. Payne  
Senior United States District Judge

Date: *November 12, 2015*  
Richmond, Virginia