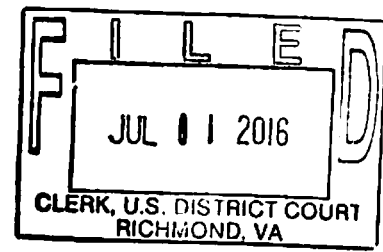


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



TROY LAMONT BURRELL, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 MR. T. DOSS, *et al.*, )  
 )  
 Defendants. )

Civil Action No. 3:16CV212-HEH


**MEMORANDUM OPINION**  
**(Vacating Order and Reinstating Action)**

On April 28, 2016, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on May 27, 2016, the Court directed Plaintiff to pay an initial partial filing fee of \$22.37 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). Because Plaintiff failed to pay the initial partial filing fee, or otherwise respond, the Court dismissed the action without prejudice by Memorandum Opinion and Order entered on June 22, 2016. On the same day, the Court received from Plaintiff a Motion for Extension of Time to pay the filing fee after the Memorandum Opinion and Order had been entered. In his Motion for Extension of Time, Plaintiff indicates that he originally mailed his request on June 9, 2016; however, the mail was returned to him by the institution. Because Plaintiff timely attempted to request an extension of time, the Court will VACATE the June 22, 2016, Memorandum Opinion and Order and will

REINSTATE the action on the Court's active docket. Plaintiff's Motion for Extension of Time (ECF No. 10) will be GRANTED to the extent that Plaintiff has fourteen (14) days from the date of entry hereof to pay the initial partial filing fee or aver that he cannot pay such a fee.

An appropriate Order shall accompany this Memorandum Opinion.

Date: July 11, 2016  
Richmond, Virginia

 \_\_\_\_\_ /s/  
HENRY E. HUDSON  
UNITED STATES DISTRICT JUDGE