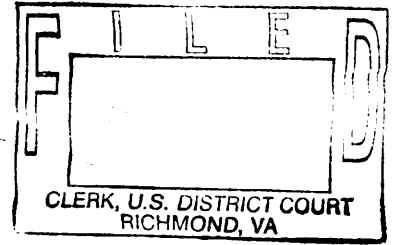


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



JAMES L. JACK,

Plaintiff,

v.

Civil Action No. 3:16CV316

MICHAEL L. CHAPMAN, et al.,

Defendants.

**MEMORANDUM OPINION**

By Memorandum Opinion and Order entered on September 15, 2016, the Court dismissed without prejudice James L. Jack's civil action because he failed to pay the initial partial filing fee and failed to aver that he could not pay such a fee. Later that day, the Court received a response from Jack wherein he indicated that he had been transferred and only received the Court's August 17, 2016 Memorandum Order directing him to pay the initial partial filing fee on August 29, 2016. (Resp. 1, ECF No. 9.) In that letter, Jack also indicates that he lacks sufficient funds to pay the initial partial filing fee. (Id.) In light of Jack's response and his interest in continuing to prosecute the action, the Court will vacate the September 15, 2016 Memorandum Opinion and Order. The Court will continue to process the action.

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

It is so ORDERED.

/s/ REP

---

Robert E. Payne  
Senior United States District Judge

Date: *October 5, 2016*  
Richmond, Virginia