Rejuney v. Brown, et al. Doc. 10

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

FILED
OCT 18 2016
CLERK, U.S. DISTRICT COURT
RICHMOND, VA

PAUL REJUNEY,	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No. 3:16CV643–HEH
	)	
JOHN WAYNE BROWN, *et al.*,	)	
	)	
Defendants.	)	

MEMORANDUM OPINION
(Dismissing Action Without Prejudice)

By Memorandum Order entered on August 19, 2016, the Court conditionally docketed Plaintiff's action. The Court directed Plaintiff to affirm his intention to pay the full filing fee by signing and returning a consent to collection of fees form. The Court warned Plaintiff that a failure to comply with the above directive within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

Plaintiff has not complied with the order of this Court. Plaintiff failed to return a consent to collection of fees form. As a result, he does not qualify for *in forma pauperis* status. Furthermore, he has not paid the statutory filing fee for the instant action. *See* 28 U.S.C. § 1914(a). Such conduct demonstrates a willful failure to prosecute. *See* Fed. R. Civ. P. 41(b). Accordingly, this action will be dismissed without prejudice.

An appropriate Order shall accompany this Memorandum Opinion.

/s/
HENRY E. HUDSON
UNITED STATES DISTRICT JUDGE

Date: Oct. 18, 2016
Richmond, Virginia

Dockets.Justia.com