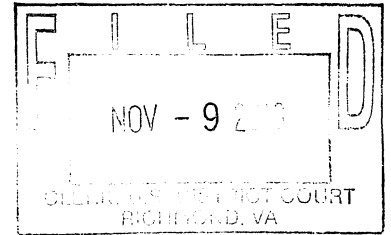


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



FRANK EDWARD HOWE, III,

Plaintiff,

v.

Civil Action No. **3:16CV660**

OFFICER MANNING, et al.,

Defendants.

MEMORANDUM OPINION

On August 26, 2016, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on September 15, 2016, the Court directed Plaintiff to pay an initial partial filing fee of \$.12 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). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.



M. Hannah Dauck
United States District Judge

Date: NOV 09 2016
Richmond, Virginia