

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

**MICHAEL L. BROOKS,**

Plaintiff,

v.

Civil Action No. **3:18CV498**

**GRANT FOOD STORE, et al.,**

Defendants.

**MEMORANDUM OPINION**

On July 25, 2018, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on September 7, 2018, the Court directed Plaintiff to pay an initial partial filing fee of \$4.03 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.

Date: **OCT 16 2018**  
Richmond, Virginia

  
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M. Hannah Lauck  
United States District Judge