

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

JORGE LUIS REYES, JR.,)	
)	
Plaintiff,)	
v.)	Civil Action No. 3:19CV112–HEH
)	
HAROLD W. CLARKE,)	
)	
Defendant.)	

**MEMORANDUM OPINION
(Dismissing Action Without Prejudice)**

By Memorandum Order entered on March 8, 2019, 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. On March 29, 2019, Plaintiff returned an unsigned consent to collection of fees form. Accordingly, by Memorandum Order entered on April 4, 2019, the Court mailed Plaintiff a second consent to collection of fees form and directed Plaintiff to sign and return the form within fourteen (14) days of the date of entry thereof if he wished to proceed with this action.

Plaintiff has not complied with the orders 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: April 30 2019
Richmond, Virginia