Saunders v. Unknown Doc. 3

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

DAMEON J. SAUNDERS,

Petitioner,

CLERK, U.S. DISTRICT COURT

v.

Civil Action No. 3:19CV518

UNKNOWN,

Respondent.

MEMORANDUM OPINION

Dameon J. Saunders, proceeding <u>pro se</u>, submitted a letter asking about how to appeal his state conviction. Given the content of the letter, the Court determined that it was appropriate to give Saunders the opportunity to pursue this action as a petition for a writ of habeas corpus under 28 U.S.C. § 2254. <u>See Rivenbark v. Virginia</u>, 305 F. App'x 144, 145 (4th Cir. 2008). By Memorandum Order entered on August 2, 2019, the Court directed Saunders to complete and return, within twenty (20) days of the date of entry thereof, the standardized form for filing a § 2254 petition. The Court warned that Saunders could move to voluntarily dismiss the action or if Saunders took no action during that time, the Court would dismiss the action without prejudice. <u>See</u> Fed R. Civ. P. 41(b).

More than twenty (20) days have elapsed and Saunders has not completed and returned the standardized form or otherwise

responded to the August 2, 2019 Memorandum Order. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of this Memorandum Opinion to Saunders.

It is so ORDERED.

Robert E. Payne

Senior United States District Judge

Date: September 2ψ , 2019 Richmond, Virginia