

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

RICHARD WADE KENDRICK,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 3:19CV898-HEH
	)	
UNKNOWN,	)	
	)	
Defendant.	)	

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

Plaintiff, a Virginia inmate proceeding *pro se*, submitted a letter to the Court complaining about an alleged denial of access to the courts with respect to filing fees in state court and about errors in his state criminal prosecution and his state habeas proceedings. (ECF No. 1.) On December 13, 2019, the Court explained that it would not conduct a general inquiry into his state court prosecution or interfere with the state court's collection of filing fees. The Court explained that, instead, Plaintiff must identify a violation of federal or constitutional law. Because it was not clear from Plaintiff's submissions whether he wished to pursue a civil rights action challenging the conditions of his confinement under 42 U.S.C. § 1983 or a petition for a writ of habeas corpus under 28 U.S.C. § 2254, the Court sent him both forms. The Court directed Plaintiff, within fifteen (15) days of the date of entry thereof, to complete and return one of the two forms. The Court warned that a failure to complete and return the appropriate form within that time would result in dismissal of the action. *See* Fed. R. Civ. P. 41(b).

More than fifteen (15) days have elapsed and Plaintiff has not responded.  
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 accompany this Memorandum Opinion.



/s/

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HENRY E. HUDSON  
SENIOR UNITED STATES DISTRICT JUDGE

Date: Jan. 22, 2020  
Richmond, Virginia