

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

DARRICK M. ALEXANDER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 3:20CV728-HEH
	)	
COMMONWEALTH OF VIRGINIA,	)	
	)	
Defendant.	)	

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

By Memorandum Order entered on September 30, 2020, the Court directed Plaintiff to complete the forms for either a 28 U.S.C. § 2254 petition or a 42 U.S.C. § 1983 action and return the same to the Court within fifteen (15) days of the date of entry thereof. The Court explained that the failure to complete an appropriate form and return the same to the Court within that time would result in the dismissal of the action. *See* Fed. R. Civ. P. 41(b). More than fifteen (15) days have elapsed and Plaintiff has not returned a form or otherwise responded to the Court's Memorandum Order issued on September 30, 2020. Plaintiff's 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/

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HENRY E. HUDSON  
SENIOR UNITED STATES DISTRICT JUDGE

Date: Nov. 5 2020  
Richmond, Virginia