

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

EDWARD PRINCE CHILDS,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 3:21CV21-HEH
)	
COUNTY OF CAROLINE, <i>et al.</i> ,)	
)	
Respondents.)	

MEMORANDUM OPINION
(Dismissing Civil Action Without Prejudice)

Petitioner, a Virginia inmate proceeding *pro se*, submitted a letter to this Court on January 11, 2021. (ECF No. 1.) Given the content of this document, the Court found it was appropriate to give Petitioner the opportunity to pursue this action as a petition for a writ of habeas corpus under 28 U.S.C. § 2254. *See Rivenbark v. Virginia*, 305 F. App'x 144, 145 (4th Cir. 2008).

By Memorandum Order entered on February 2, 2021, the Court directed Petitioner, within twenty (20) days of the date of entry thereof, to complete and return the standardized form for filing a § 2254 petition. The Court warned Petitioner that the failure to comply with the terms of the February 2, 2021 Memorandum Order would result in the dismissal of the action. *See Fed. R. Civ. P. 41(b)*.

More than twenty (20) days have elapsed and Petitioner has not completed and returned the standardized form for filing a § 2254 petition or otherwise responded to the

February 2, 2021 Memorandum Order. Accordingly, the action will be dismissed without prejudice. A certificate of appealability will be denied. Petitioner's Motion for the Appointment of Counsel (ECF No. 3) will be denied.

An appropriate Order shall accompany this Memorandum Opinion



/s/

HENRY E. HUDSON
SENIOR UNITED STATES DISTRICT JUDGE

Date: March 16, 2021
Richmond, Virginia