

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

JOHN MICHAEL CUMMINS,

Plaintiff,

v.

Civil Action No. **3:21CV556**

ALISON LAND, et al.,

Defendants.

MEMORANDUM OPINION

John Michael Cummins, proceeding *pro se* and *in forma pauperis*, filed this 42 U.S.C. § 1983 action. Cummins is currently civilly committed in the Virginia Center for Behavioral Rehabilitation because he was found to be a sexually violent predator. By Memorandum Opinion and Order entered on December 8, 2022, the Court denied in part and granted in part the Motion for Summary Judgment filed by Defendants. (ECF Nos. 30, 31.) The Court further directed Cummins to file a new particularized pleading that complied with specific directions provided by the Court within thirty (30) days of the date of entry thereof.

On January 12, 2023, the Court granted Cummins an extension of time until no later than Monday, January 23, 2023. Cummins failed to file a particularized pleading by that date or in the weeks thereafter. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate order shall issue.

Date: *23 February 2023*
Richmond, Virginia

/s/

John A. Gibney, Jr.
Senior United States District Judge