

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

ELRAHEEM NESMITH,)	
)	
Plaintiff,)	
v.)	Civil Action No. 3:21CV582–HEH
)	
DR. MELVIN JOHNSON, <i>et al.</i> ,)	
)	
Defendants.)	

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

By Memorandum Order entered on September 30, 2021, the Court conditionally docketed Plaintiff’s action. At that time, the Court warned Plaintiff that he must keep the Court informed of his current address if he was relocated or was released. By Memorandum Order entered on March 30, 2022, the Court directed Plaintiff to file a particularized complaint. On April 4, 2022, the United States Postal Service returned the March 30, 2022 Memorandum Order to the Court marked, “RETURN TO SENDER” and “INMATE NO LONGER IN FACILITY.” Since that date, Plaintiff has not contacted the Court to provide a current address. Plaintiff’s failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall accompany this Memorandum Opinion.



/s/

HENRY E. HUDSON
SENIOR UNITED STATES DISTRICT JUDGE

Date: April 8, 2022
Richmond, Virginia