

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

RAY L. EVERETTE,
Plaintiff,

v.

Civil Action No. 3:22cv161

SUMMIT,
Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on July 14, 2022, the Court conditionally docketed the plaintiff's action. (ECF No. 3.) On August 15, 2022, the United States Postal Service returned the July 14, 2022 Memorandum Order to the Court marked, "RETURN TO SENDER," and "ADDRESSEE NOT IN OUR FACILITY." (ECF No. 5, at 1.) Since that date, the plaintiff has not contacted the Court to provide a current address. The 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.

Date: 3 October 2022
Richmond, Virginia

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