

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

TREAVON BENARD GORDON,
Plaintiff,

v.

Civil Action No. 3:22cv424

MACK BAILLY,
Defendant.

MEMORANDUM OPINION

On June 29, 2022, the Court conditionally docketed the plaintiff's action. (ECF No. 3.) The plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on July 22, 2022, the Court directed the plaintiff to pay an initial partial filing fee of \$5.78 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within thirty (30) days of the date of entry thereof. (ECF No. 7); *see* 28 U.S.C. § 1915(b)(1). The plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, the plaintiff is not entitled to proceed *in forma pauperis*. The plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate order shall issue.

Date: 31 August 2022
Richmond, Virginia

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