

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

**KASHEEM NUNNALLY,**

**Plaintiff,**

**v.**

**Civil Action No. 3:22cv543**

**D. WOODSON, et al.,**

**Defendants.**

**MEMORANDUM OPINION**

Plaintiff, a former Virginia inmate proceeding *pro se*, filed this 42 U.S.C. § 1983<sup>1</sup> action. By Memorandum Order entered on January 10, 2024, the Court noted that it appeared that Plaintiff had lost interest in prosecuting the action. (ECF No. 32, at 2.) Accordingly, the Court directed Plaintiff to file, within twenty (20) days of the date of entry thereof, a written statement indicating his desire to continue to litigate the action. (ECF No. 32, at 2.) The Court warned Plaintiff that the failure to file the statement would result in the dismissal of the action. *See* Fed. R. Civ. P. 41(b).

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<sup>1</sup> That statute provides, in pertinent part:

Every person who, under color of any statute . . . of any State . . . subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law . . . .

More than twenty (20) days have elapsed since the entry of the January 10, 2024 Memorandum Order and Nunnally has not responded. Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 3/7/2024  
Richmond, Virginia

  
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M. Hannah Lauck  
United States District Judge