

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

RASHID HOLMAN,

Plaintiff,

v.

Civil Action No. 3:23cv98

ANTIONETTE V. IRVING, et al.,

Defendants.

MEMORANDUM OPINION

Plaintiff, a Virginia prisoner proceeding *pro se* and *in forma pauperis*, brings this 42 U.S.C. § 1983 action. On September 8, 2023, Plaintiff filed a Particularized Complaint. (ECF No. 10.)¹ By Memorandum Order entered on September 21, 2023, the Court noted that it had come to the attention of the Court that Plaintiff had passed away.² The Court explained that it had no way to verify this information. Nevertheless, the Court mailed the September 21, 2023 Memorandum Order to Plaintiff's last known address. The Court directed that, within sixty (60) days of the date of entry thereof, Plaintiff, or his estate, must notify the Court in writing of the intent to continue to litigate this action. More than sixty (60) days have elapsed, and no one has responded. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Final Order shall accompany this Memorandum Opinion.

Date: 12/6/2023
Richmond, Virginia

/s/ MHL
M. Hannah Lauck
United States District Judge

¹ Plaintiff had not provided addresses where all of the Defendants can be served.

² The Clerk's office received a phone call on September 18, 2023, notifying the Court that Plaintiff was deceased.