

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

JOHN LEWIS CHILDS,  
Plaintiff,

v.

Civil No. 3:23cv453 (DJN)


SGT. ALEXANDER, *et al.*,  
Defendants.

**MEMORANDUM OPINION**

By Memorandum Order entered on September 5, 2023, the Court directed Plaintiff to pay an initial partial filing fee of \$2.53 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). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

Let the Clerk file a copy of this Memorandum Opinion electronically and send a copy to Plaintiff.

An appropriate Final Order shall issue.

/s/   
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David J. Novak  
United States District Judge

Richmond, Virginia  
Dated: October 19, 2023