

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

Richmond Division

JEREMIAH GOODWIN,
Plaintiff,

v.

Civil No. 3:23cv701 (DJN)

UNKNOWN,
Defendant.

MEMORANDUM OPINION

Plaintiff, a Virginia civil detainee proceeding *pro se*, submitted a letter complaining about the facility where he is confined. By Memorandum Order entered on November 1, 2023, the Court directed the Clerk to mail Plaintiff a standardized form for filing a 42 U.S.C. § 1983 complaint. (ECF No. 2.) The Court explained that if Plaintiff wished to file a complaint at this time, he should complete and return the form to the Court within thirty (30) days of the date of entry thereof. (*Id.*) The Court noted that if Plaintiff failed to take any action within that time, the Court would dismiss the action without prejudice. *See* Fed. R. Civ. P. 41(b). That Memorandum Order was returned as undeliverable to the Court. Accordingly, by Memorandum Order entered on December 21, 2023, the Court directed the Clerk to re-mail the November 1, 2023 Memorandum Order and 42 U.S.C. § 1983 form to Plaintiff and granted Plaintiff an additional thirty (30) days to submit the 42 U.S.C. § 1983 form to the Court. (ECF No. 6.)

More than thirty (30) days have elapsed since the entry of the December 21, 2023, and Plaintiff has not completed and returned the § 1983 complaint form. Accordingly, this 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 Order shall issue.

/s/



David J. Novak
United States District Judge

Richmond, Virginia

Dated: February 8, 2024