

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

Richmond Division

TIMOTHY M. ROBBINS,
Petitioner,

v.

Civil No. 3:24cv520 (DJN)

MR. CHARDWRICK DOTSON,
Respondent.

MEMORANDUM OPINION

Petitioner, a Virginia inmate proceeding *pro se*, submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.¹ Although Petitioner submitted the standard form for filing a § 2254 petition, his form did not contain any grounds for relief. Accordingly, by Memorandum Order entered on July 25, 2024, the Court directed Petitioner, within thirty (30) days of the date of entry thereof, to complete and return the standardized form for filing a § 2254 petition as required by Eastern District of Virginia Local Civil Rule 83.4(A). The Court also directed Petitioner to complete and return, within fifteen (15) days of the date of entry thereof, an affidavit in support of his request to proceed *in forma pauperis* or pay the \$5.00 filing fee.

More than thirty (30) days have elapsed, and Petitioner has not returned the required *in forma pauperis* affidavit or the standardized form for filing a § 2254 petition, or otherwise

¹ Petitioner attached an opinion from the Supreme Court of Virginia. (ECF No. 1-1.) To the extent that Petitioner seeks to appeal the Supreme Court of Virginia's denial of his habeas motion, by Memorandum Order entered on July 25, 2024, the Court explained that Petitioner cannot appeal the decision of the Supreme Court of Virginia to this Court. Nevertheless, the Court determined that it was appropriate to give Petitioner the opportunity to pursue this action as a petition for a writ of habeas corpus under 28 U.S.C. § 2254. *See Rivenbark v. Virginia*, 305 F. App'x 144, 145 (4th Cir. 2008).

responded to the Court's Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate order will accompany this Memorandum Opinion.

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

/s/



David J. Novak
United States District Judge

Richmond, Virginia
Date: September 6, 2024