

FILED
for Roanoke
JUL 19 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *M. Hep*
DEPUTY CLERK

ROBERT L. JOHNSON, JR.,
Petitioner,

Civil Action No. 7:11-cv-00281

MEMORANDUM OPINION

v.

By: **Hon. Jackson L. Kiser**
Senior United States District Judge

HAROLD CLARKE,
Respondent.

The petitioner, a Virginia inmate proceeding pro se, filed a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254. By an Order entered June 17, 2011, the court informed petitioner that his petition appeared untimely and unexhausted and requested information from petitioner within fifteen days. The Order advised petitioner that failure to respond to it would result in dismissal of his petition.

Petitioner has not communicated with the court since entry of the June 17, 2011, Order. As the time allotted for his response has expired, this action is dismissed without prejudice for failing to comply with the court's order. Plaintiff may refile his claims in a new and separate action.

The Clerk is directed to send copies of this memorandum opinion and the accompanying order to petitioner.

ENTER: This 19th day of July, 2011.

Jackson L. Kiser
Senior United States District Judge