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

JEFFREY L. MOORE,	)	**Civil Action No. 7:11-cv-00415**
Plaintiff,	)	
	)	
v.	)	
	)	**MEMORANDUM OPINION**
PULASKI COMMUNITY	)	
HOSPITAL, et al.,	)	**By: Hon. Jackson L. Kiser**
Defendants.	)	**Senior United States District Judge**

Jeffrey L. Moore, incarcerated and proceeding pro se, filed a civil action. By Order entered November 7, 2011, the court assessed the $350 civil action filing fee and granted plaintiff the opportunity to proceed in forma pauperis by completing the necessary financial documents. See 28 U.S.C. §§ 1914(a), 1915(a). The court received plaintiff's financial documents, and, by an Order entered on December 30, 2011, the court gave plaintiff ten days to file an executed consent to withholding form. See id. § 1915(b)(1). The court advised plaintiff that failure to file an executed consent form within the time allowed would result in the dismissal of the action without prejudice.

The time allowed for plaintiff to file the consent to withholding form has expired, and plaintiff failed to return the form as directed. Accordingly, I dismiss the complaint without prejudice for failure to comply with a court order and for failure to prosecute this action. Plaintiff may refile his claims in a new and separate action.

The Clerk is directed to send a copy of this Memorandum Opinion and the accompanying Order to plaintiff.

JRSB Moore v. Pulaski Community Hospital et al

ENTER: This 7th day of February, 2012.

Jackson L. Kiser
Senior United States District Judge