

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

<b>THOMAS HARRIS,</b>	)	<b>Civil Action No. 7:12-cv-00016</b>
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b><u>MEMORANDUM OPINION</u></b>
	)	
<b>GENE M. JOHNSON, <u>et al.</u>,</b>	)	<b>By: Hon. Michael F. Urbanski</b>
<b>Defendants.</b>	)	<b>United States District Judge</b>

Presently before the court is plaintiff's motion to proceed in forma pauperis and motion for default judgment. Plaintiff filed these motions after the court dismissed this 42 U.S.C. § 1983 action without prejudice on January 26, 2012, for failing to state a claim upon which relief may be granted. The action was never served on defendants, and nothing remains pending in order to proceed in forma pauperis. Accordingly, plaintiff's motions are **DENIED** as moot.

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

Entered: April 3, 2012

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge