

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

LARRY DARNELL NOEL,)	
Petitioner,)	Civil Action No. 7:12-cv-00293
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
UNITED STATES OF AMERICA,)	By: Norman K. Moon
Respondent.)	United States District Judge

By Order entered July 9, 2012, the court construed Larry Darnell Noel's letter as a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 and conditionally filed the petition. In the conditional filing order, the court directed Noel to complete a § 2241 petition form and either pay the filing fee or sign and return a consent to fee form within ten (10) days of the entry of that order. The court advised Noel that failure to comply with the court's order would result in the dismissal of his action without prejudice.

As the time allowed for such response has elapsed and as Noel has failed to respond in any way to the court's order, it is hereby **ORDERED** that this action is **DISMISSED without prejudice** and **STRICKEN** from the active docket of this court. Noel is advised that he may re-file his claims in a separate action.

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

ENTER: This 27th day of July, 2012.



 NORMAN K. MOON
 UNITED STATES DISTRICT JUDGE