

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

APR 25 2013

JULIA C. DUNN, CLERK
BY: 
DEPUTY CLERK

ROGER LEE MARTIN, JR.,
Plaintiff,

v.

MAJOR CRAIG,
Defendant(s).

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Civil Action No. 7:13-cv-00075

MEMORANDUM OPINION

By: James C. Turk
Senior United States District Judge

Roger Lee Martin, Jr., proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983 . By Order entered 3/20/2013, the court directed plaintiff to sign the consent to withholding of fees from plaintiff's inmate account and return it to the court within 10 days from the date of the Order. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice. The clerk explained this procedure and sent plaintiff two copies of the consent to fee form.

More than 10 days have elapsed, and plaintiff has failed to comply with the Order and has not returned the signed consent form. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

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

ENTER: This 25th day of April, 2013.


Senior United States District Judge