

NOV 21 2013

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

ARTHUR UZZELL,  
Plaintiff,

v.

JACK LEE, et al.,  
Defendant(s).

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Civil Action No. 7:13-cv-00453

MEMORANDUM OPINION

By: Michael F. Urbanski  
United States District Judge

Arthur Uzzell, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. §1983. By Order entered October 1, 2013, the court directed plaintiff to submit within 10 days from the date of the Order an inmate account report and a certified copy of plaintiff's trust fund account statement for the six-month period immediately preceding the filing of the complaint, obtained from the appropriate prison official of each prison at which plaintiff is or was confined during that six-month period. On October 18, 2013 plaintiff returned an inmate account report however, the months of March, April, May, and June were not included. The court sent plaintiff another conditionally filed order on October 21, 2013 and stipulated that plaintiff had 10 days to complete and return the inmate account report for the required missing months. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions. 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 20<sup>th</sup> day of November, 2013.

*Michael F. Urbanski*  
United States District Judge