

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

|                                |   |                              |
|--------------------------------|---|------------------------------|
| MICHAEL P. HOPKINS,            | ) |                              |
| Plaintiff,                     | ) | Civil Action No. 7:16cv00073 |
|                                | ) |                              |
| v.                             | ) |                              |
|                                | ) | By: Elizabeth K. Dillon      |
| THE NEW RIVER VALLEY           | ) | United States District Judge |
| REGIONAL JAIL, <i>et al.</i> , | ) |                              |
| Defendants.                    | ) |                              |

**MEMORANDUM OPINION**

Plaintiff Michael P. Hopkins, a Virginia inmate proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 on February 22, 2016. The defendants filed a motion for summary judgment, and the court issued a notice pursuant to *Roseboro v. Garrison*, 528 F.2d 309, 310 (4th Cir. 2005). The notice gave Hopkins twenty-one days to file a response to the motion and advised him that, if he did not respond, the court would “assume that plaintiff has lost interest in the case, and/or that plaintiff agrees with what the defendant[s] state[] in their responsive pleading(s).” The notice further advised Hopkins that, if he wished to continue with the case, it was “necessary that plaintiff respond in an appropriate fashion,” and that if he failed to file some response within the time allotted, “the court may dismiss the case for failure to prosecute.” Hopkins did not respond to the motion for summary judgment. Therefore, Hopkins’ complaint will be dismissed without prejudice for failure to prosecute.

An appropriate order will be entered.

Entered: July 1, 2016.

*/s/ Elizabeth K. Dillon*

Elizabeth K. Dillon  
United States District Judge