

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

NATHAN WILLARD WAGNER,)	Civil Action No. 7:16-cv-00505
Plaintiff,)	
)	<u>OPINION</u>
v.)	
)	By: James P. Jones
BETTY AKERS, et al,)	United States District Judge
Defendant(s).)	

Nathan Willard Wagner, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. On October 28, 2016, plaintiff submitted an inmate account report signed by the trust account officer at his place of incarceration but did not send in the required six-month statements. By Order entered October 28, 2016, the court directed plaintiff to submit within 20 days from the date of the Order 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. 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 30th day of November, 2016.

/s/James P. Jones _____
United States District Judge