

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

HOWARD MARTIN, Plaintiff,)	Civil Action No. 7:16-cv-00549
)	
)	<u>MEMORANDUM OPINION</u>
v.)	
)	By: Norman K. Moon
C. POFF, Defendant(s).)	United States District Judge
)	

Howard Martin, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By Order entered December 16, 2016, the court directed plaintiff to submit within 20 days from the date of the Order an amended complaint. 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 12th day of January, 2017.



 NORMAN K. MOON
 UNITED STATES DISTRICT JUDGE