

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

TIMOTHY CRIGGER,)	
Petitioner,)	Civil Action No. 7:17cv00170
)	
v.)	
)	By: Elizabeth K. Dillon
CARL MANIS,)	United States District Judge
Respondent.)	

MEMORANDUM OPINION

By order entered April 20, 2017, the court conditionally filed Crigger's petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. In the conditional filing order, the court ordered Crigger to provide information concerning the timeliness of his petition and either pay the filing fee or apply to proceed *in forma pauperis*. The court advised Crigger that failure to comply with the court's order within ten days would result in the dismissal of his petition without prejudice. Crigger did not respond to the court's order.

Inasmuch as the time to respond has passed and Crigger has failed to comply with the court's order, the court will dismiss this action without prejudice. Crigger may re-file his claims in a separate action.

An appropriate order will be entered.

Entered: May 25, 2017.

/s/ Elizabeth K. Dillon

Elizabeth K. Dillon
United States District Judge