

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

|                               |   |                                       |
|-------------------------------|---|---------------------------------------|
| <b>DUSTIN WILSON,</b>         | ) | <b>Civil Action No. 7:17-cv-00347</b> |
| <b>Plaintiff,</b>             | ) |                                       |
|                               | ) | <b><u>MEMORANDUM OPINION</u></b>      |
| <b>v.</b>                     | ) |                                       |
|                               | ) | <b>By: Norman K. Moon</b>             |
| <b>JOSHUA GILLIAM, et al,</b> | ) | <b>United States District Judge</b>   |
| <b>Defendant(s).</b>          | ) |                                       |

Dustin Wilson, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By Order entered August 21, 2017, because plaintiff was released from incarceration and no longer subject to the provisions of the Prisoner Litigation Reform Act, which allowed plaintiff to pay the \$350.00 filing fee via installments, the court directed plaintiff to submit within 20 days from the date of the Order the fee in full or otherwise respond to the Order within the time allowed. 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 20th day of September, 2017.

  
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 NORMAN K. MOON  
 UNITED STATES DISTRICT JUDGE