CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
DEC 19 2017
JULIA C. DUDLEY, CLERK
BY: DEPUTY CLERK

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

JOHNNY L. VENABLE, III,	)	**Civil Action No. 7:17-cv-00495**
Plaintiff,	)	
	)	**MEMORANDUM OPINION**
v.	)	
	)	**By: Michael F. Urbanski**
BRAD NUNN, et al,	)	**Chief United States District Judge**
Defendant(s).	)	

Johnny L. Venable, III, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By Order entered November 22, 2017, the court directed plaintiff to submit within 20 days from the date of the Order the consent to withholding of filing fees form in order to complete the application to proceed in forma pauperis. 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 19th day of December, 2017.

/s/ Michael F. Urbanski
Chief United States District Judge