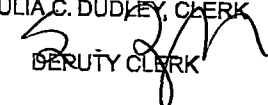


OCT 01 2019

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

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

**DEMOSTHENESE A. WESLEY,**  
**Plaintiff,**

**Civil Action No. 7:18CV00614**

**v.**

**MEMORANDUM OPINION**

**WINCHESTER CITY POLICE**  
**OFFICER CONNOR MALLOY,**  
**Defendant.**

**By: Hon. Glen E. Conrad**  
**Senior United States District Judge**

Demosthenes A. Wesley, proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983. Wesley notified the court on September 13, 2019, that he had been released from prison. Therefore, Wesley is no longer subject to the provisions of the Prisoner Litigation Reform Act that allowed him to pay the \$350 filing fee via installments. A court order entered on September 16, 2019, directed Wesley to submit, within ten days from that date, the filing fee owed and the applicable administrative fee for a total of \$400 or to otherwise respond. Wesley was advised that a failure to comply within the time limits set out in the order would result in dismissal of this action without prejudice.

The time allotted for Wesley to respond has passed, and he has failed to comply with the described conditions. Accordingly, the court will dismiss the action without prejudice. An appropriate order will issue herewith.

The clerk will send a copy of this order to the plaintiff and counsel for the defendants.

**ENTER:** This 1st day of October, 2019.

/s/ Glen E. Conrad  
Senior United States District Judge