

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

WAVERLY WHITLOCK,	)	
Plaintiff,	)	Civil Action No. 7:19-cv-00621
	)	
v.	)	
	)	By: Elizabeth K. Dillon
HAROLD W. CLARKE, <i>et al.</i> ,	)	United States District Judge
Defendants.	)	

**MEMORANDUM OPINION**

This action was brought by plaintiff Waverly Whitlock, a Virginia inmate proceeding *pro se*, pursuant to 42 U.S.C. § 1983. By order entered September 12, 2019, the court directed Whitlock to file an amended complaint, complying with certain requirements. (Dkt. No. 3.) The amended complaint was to be filed not later than October 7, 2019. In the same paragraph of the order directing the filing of the amended complaint, the court notified Whitlock that “if he fails to timely file an amended complaint . . . the court may dismiss this entire action without prejudice.” (*Id.* at ¶ 3.) The order was sent to the address on file for him and has not been returned.

The deadline for filing the amended complaint has passed, and Whitlock has not filed anything in response to the court’s order. Because Whitlock has failed to comply with the court’s order within the time allotted, the court will dismiss his complaint without prejudice.

An appropriate order will be entered.

Entered: October 11, 2019.

*/s/ Elizabeth K. Dillon*

Elizabeth K. Dillon  
United States District Judge