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

RICHARD L. BABER, JR.,	)	
Plaintiff,	)	**Civil Action No. 7:21cv00101**
	)	
v.	)	**MEMORANDUM OPINION**
	)	
SGT. BURT SHIFFLET,	)	**By: Hon. Thomas T. Cullen**
Defendant.	)	**United States District Judge**

Plaintiff Richard L. Baber, Jr., proceeding *pro se,* filed this civil rights action under 42 U.S.C. § 1983. By memorandum opinion and order entered February 4, 2022, the court granted a motion for summary judgment filed by all defendants except Investigator Sgt. Shifflet. (*See* ECF Nos. 31 & 32.) The court noted in the opinion that the United States Marshals Service had unsuccessfully attempted to locate defendant Shifflet (*see* ECF No. 16) and, therefore, service has not been accomplished on him (*see* ECF No. 31, n.1). The court also gave Baber the opportunity to provide a valid address for Shifflet within 14 days and warned him that failure to provide a valid address would result in dismissal of the complaint, without prejudice, against Shifflet. (*See* ECF No. 32.) More than 14 days have passed, and Baber has filed no response to the court's order. Accordingly, the court will dismiss Baber's complaint against Shifflet without prejudice.

The clerk is directed to forward a copy of this Order to the parties.

ENTERED this 24th day of February, 2022.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE

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