

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

PAUL C. THOMPSON, JR.,)	
Plaintiff,)	Case No. 7:22-cv-00216
)	
v.)	
)	By: Michael F. Urbanski
VDOC, <u>et al.</u> ,)	Chief United States District Judge
Defendants.)	

MEMORANDUM OPINION

Plaintiff Paul C. Thompson, Jr., a former Virginia inmate proceeding pro se, filed this civil action under 42 U.S.C. § 1983 against the Virginia Department of Corrections (“VDOC”) and multiple individuals employed by or associated with the VDOC. In June 2022, the defendants filed motions to dismiss under Federal Rule of Civil Procedure 12(b)(6). After each motion was filed, the court issued the notice required by Roseboro v. Garrison, 528 F.2d 309, 310 (4th Cir. 1975). The Roseboro notices advised Thompson that he had 21 days to file a response to the motions to dismiss and that, if he did not respond to the motions, the court would “assume that Plaintiff has lost interest in the case, and/or that Plaintiff agrees with what the Defendant[s] state in their responsive pleadings(s).” ECF Nos. 16 and 19. The notices further advised Thompson that, if he wished to continue with the case, it was “necessary that Plaintiff respond in an appropriate fashion” and that, if he failed to file a response within the time allotted, the court “may dismiss the case for failure to prosecute.” Id.

The defendants’ motions to dismiss have been pending for over three months. Despite receiving an extension of time, Thompson has not responded to either motion. Therefore, the court will dismiss Thompson’s complaint without prejudice for failure to prosecute.

An appropriate order will be entered.

Entered: October 3, 2022



Digitally signed by Michael F.
Urbanski Chief U.S. District
Judge
Date: 2022.10.03 17:25:48 -04'00'

Michael F. Urbanski
Chief United States District Judge