

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

SYLVESTER A. RICHARDSON,

Plaintiff-Appellant.

v.

No. 00-6406

CAROLYN CROSS, Warden,

Defendant-Appellee.

Appeal from the United States District Court
for the Eastern District of Virginia, at Richmond.
James R. Spencer, District Judge.
(CA-99-692-3)

Submitted: July 10, 2000

Decided: July 21, 2000

Before WILKINS, NIEMEYER, and MICHAEL, Circuit Judges.

Vacated and remanded by unpublished per curiam opinion.

COUNSEL

Sylvester A. Richardson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit. See
Local Rule 36(c).

OPINION

PER CURIAM:

Sylvester Antoine Richardson appeals from the dismissal of his 42 U.S.C.A. § 1983 (West Supp. 2000) action for failure to pay the initial filing fee. Because the record reflects that the fee was actually paid, the district court's order was in error. Accordingly, we vacate the dismissal and remand for further consideration of the case. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

VACATED AND REMANDED