

UNPUBLISHED

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

LEON JAMES RIDINGS,  
*Plaintiff-Appellant,*

v.

FEDERAL PRISON INDUSTRIES,  
INCORPORATED, via Steve Schwalb,  
Chief Operating Officer; KENT  
MARTIN,

*Defendants-Appellees.*

No. 00-6921

Appeal from the United States District Court  
for the Eastern District of North Carolina, at Raleigh.  
Terrence W. Boyle, Chief District Judge.  
(CA-00-236-5-BO)

Submitted: November 20, 2000

Decided: December 20, 2000

Before WIDENER and MICHAEL, Circuit Judges, and  
HAMILTON, Senior Circuit Judge.

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Vacated and remanded by unpublished per curiam opinion.

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**COUNSEL**

Leon James Ridings, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

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### OPINION

#### PER CURIAM:

Leon James Ridings appeals from the district court's orders summarily dismissing his *Bivens*\* action for failure to state a claim under 28 U.S.C.A. § 1915A(b)(2) (West Supp. 2000), and denying his motion for reconsideration.

Ridings alleged that he was not selected for a prison job for which he was qualified, and that the refusal to select him was racially discriminatory. As the district court noted, although prisoners have no right to a particular job, a denial of prison employment based on race states a cognizable claim. *Dewalt v. Carter*, 224 F.3d 607, 611-18 (7th Cir. 2000); *Bentley v. Beck*, 625 F.2d 70, 70-71 (5th Cir. 1980). Accepting Ridings' allegations as true, as we must, his complaint states a claim upon which relief could be granted. 28 U.S.C.A. § 1915A(b) (West Supp. 2000); *Hishon v. King & Spalding*, 467 U.S. 69, 73 (1984). Further, although Ridings' complaint did not identify with specificity the persons hired for the job he sought, he should be given the opportunity to identify those individuals. *See Kirby v. Blackledge*, 530 F.2d 583, 588 (4th Cir. 1976); *cf. Gordon v. Leeke*, 574 F.2d 1147, 1152-53 (4th Cir. 1978). Because Ridings was not afforded the opportunity to provide facts in support of his complaint, through discovery or otherwise, we vacate the district court's order and remand the case for further proceedings. We express no opinion on the merits of Ridings' claim.

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

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\**Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971).