

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6477

RONALD WAYNE LEWIS,

Plaintiff - Appellant,

v.

DIVISION OF CHILD SUPPORT ENFORCEMENT,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, Chief District Judge. (3:10-cv-00894-JRS)

Submitted: August 29, 2011

Decided: March 20, 2012

Before SHEDD, AGEE, and DIAZ, Circuit Judges.

Remanded by unpublished per curiam opinion.

Ronald Wayne Lewis, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ronald Wayne Lewis appeals the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (2006) action for failure to comply with an order of the magistrate judge to complete an affidavit in support of his in forma pauperis application. Lewis contends in his informal brief that he did not receive the in forma pauperis application – and possibly the magistrate judge's order.

Because it is unclear from the record whether Lewis received the magistrate judge's order, we remand the case to the district court for a determination of whether Lewis received the order and, if not, to afford him the opportunity to comply with the order. 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.

REMANDED