

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-6857

CORNELIUS TUCKER, JR.,

Plaintiff - Appellant,

versus

CAPTAIN BRANKER; J. B. FRENCH, Warden,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern Dis-
trict of North Carolina, at Raleigh. W. Earl Britt, District Judge.
(MISC-96-20)

Submitted: November 21, 1996

Decided: December 4, 1996

Before HALL, WILKINS, and HAMILTON, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Cornelius Tucker, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant, a North Carolina inmate, appeals the district court's order denying leave to file a 42 U.S.C. § 1983 (1994) complaint for failing to comply with the terms of a pre-filing injunction. We have reviewed the record and the district court's opinion and find that this appeal is frivolous. Accordingly, we deny leave to proceed in forma pauperis and dismiss on the reasoning of the district court. Tucker v. McNeil, No. MISC-96-20 (E.D.N.C. Apr. 24, 1996). 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.

DISMISSED