

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-6019

BOBBY RAY PATTERSON,

Plaintiff - Appellant,

versus

PRINCE WILLIAM COUNTY POLICE DEPARTMENT; OFFI-
CER HOFFMAN,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern Dis-
trict of Virginia, at Richmond. James R. Spencer, District Judge.
(CA-96-875-3)

Submitted: April 17, 1997

Decided: April 30, 1997

Before NIEMEYER and WILLIAMS, Circuit Judges, and BUTZNER, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Bobby Ray Patterson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Bobby Ray Patterson appeals the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (1994) complaint. Patterson's complaint was conditionally docketed by an order which required Patterson to sign and return a "consent to the collection of fees." Patterson failed to comply with this instruction. The district court could properly require such collection under 28 U.S.C.A. § 1915 (West 1994 & Supp. 1997). Accordingly, its dismissal of the action, without prejudice, when Patterson failed to comply with its order was not an abuse of discretion. We therefore affirm the judgment below.

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.

AFFIRMED