

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-6130

NORMAN E. WHITE,

Plaintiff - Appellant,

versus

RONALD J. ANGELONE, Director, Department of
Corrections; J. A. SMITH, Warden,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern Dis-
trict of Virginia, at Norfolk. J. Calvitt Clarke, Jr., Senior
District Judge. (CA-96-1028-2)

Submitted: April 17, 1997

Decided: May 2, 1997

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

Affirmed by unpublished per curiam opinion.

Norman E. White, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order dismissing without prejudice his action under 42 U.S.C. § 1983 (1994). Before Appellant's action could proceed, the district court ordered Appellant to sign and return a form consenting to the collection of fees. Appellant 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 Appellant failed to comply with its order was not an abuse of discretion. We therefore affirm the district court's 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.

AFFIRMED