

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-1064

MARY W. MCMILLAN,

Plaintiff - Appellant,

versus

SECRETARY OF VETERANS AFFAIRS,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, District Judge. (CA-99-2-3)

Submitted: May 13, 1999

Decided: May 19, 1999

Before WIDENER and MOTZ, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Mary W. McMillan, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mary W. McMillan appeals the district court's order denying her leave to proceed in forma pauperis in her civil action. The denial of in forma pauperis status is an immediately appealable order. See Roberts v. United States District Court, 339 U.S. 844, 845 (1950). We have reviewed the record and the district court's order and find no abuse of discretion. We therefore deny leave to proceed in forma pauperis and dismiss this appeal of the district court's order. See McMillan v. Secretary of Veterans Affairs, No. CA-99-2-3 (E.D. Va. Jan. 6, 1999).* 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

* Although the district court's order is marked as "filed" on December 18, 1998, the district court's records show that it was entered on the docket sheet on January 6, 1999. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the order was entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).