

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6561

ELBERT SMITH, JR.,

Plaintiff - Appellant,

versus

WILLIAM E. COLLARD, Jail Deputy; THOMAS D.
WIRGES, Jail Deputy; RICHARD E. MATTHEWS, Dr.,
Jail Physician,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern Dis-
trict of Virginia, at Norfolk. Robert G. Doumar, Senior District
Judge. (CA-97-584-2)

Submitted: July 8, 1999

Decided: July 15, 1999

Before NIEMEYER, WILLIAMS, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Elbert Smith, Jr., Appellant Pro Se. Samuel Lawrence Dumville,
Virginia Beach, Virginia; David Ernest Boelzner, WRIGHT, ROBINSON,
OSTHIMER & TATUM, Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Elbert Smith, Jr., appeals the district court's dismissal of his action filed under 42 U.S.C. § 1983 (West Supp. 1998) without prejudice for failure to comply with the district court's order that he remit payment to the Comptroller of the Virginia Department of Corrections for costs associated with the litigation of his § 1983 action. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Smith v. Collard, No. CA-97-584-2 (E.D. Va. Mar. 26, 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.

AFFIRMED