

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-1561**

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KIMARLO RAGLAND,

Plaintiff - Appellant,

v.

FRANCENE GREGORY,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of North Carolina, at  
Raleigh. Terrence W. Boyle, District Judge. (5:22-cv-00443-BO-RJ)

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Submitted: August 29, 2023

Decided: August 31, 2023

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Before KING, AGEE, and BENJAMIN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Kimarlo Antonio Ragland, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kimarlo Antonio Ragland appeals the district court's order adopting the recommendation of the magistrate judge and dismissing Ragland's civil action without prejudice for lack of jurisdiction, and denying his motion for recusal as moot. We have reviewed the record and conclude that the district court did not err in dismissing the action. Moreover, with respect to Ragland's recusal motion, we conclude that the district court's denial of that motion "was at most harmless error," *see Faulkner v. Nat'l Geographic Enters., Inc.*, 409 F.3d 26, 42 n.10 (2d Cir. 2005), and, in any event, "our conclusion that [Ragland's] . . . claims no longer belong in federal court renders the recusal issue . . . moot," *see Tonkovich v. Kan. Bd. of Regents*, 254 F.3d 941, 946 (10th Cir. 2001).

Accordingly, we deny Ragland's motion to place the appeal in abeyance and affirm the district court's judgment. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED*