

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-7114

RODRIK CLARK,

Plaintiff - Appellant,

v.

M. RAMIREZ, Sheriff Officer,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at
Richmond. David J. Novak, District Judge. (3:23-cv-00443-DJN-MRC)

Submitted: January 30, 2024

Decided: February 6, 2024

Before KING, AGEE, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Rodrik Edwin Clark, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rodrik Edwin Clark appeals the district court's order dismissing his 42 U.S.C. § 1983 complaint after Clark failed to pay the required initial partial filing fee. We have reviewed the record and find no reversible error.

Clark argues that he had consented to pay the initial partial filing fee, but the court failed to contact him to collect the fee from his inmate trust account. However, prior to dismissing the complaint, the court instructed Clark that it would contact his institution only after he paid the initial partial filing fee directly to the court and not from his inmate trust account or informed the court that he was unable to pay the partial fee. Moreover, the dismissal without prejudice means that Clark is free to refile. Accordingly, we affirm the district court's order. *Clark v. Ramirez*, No. 3:23-cv-00443-DJN-MRC (E.D. Va. Oct. 19, 2023). We deny Clark's motion for a transcript at government expense. 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