UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 26-6396

N'NEKA HENDERSON,

Plaintiff - Appellant,

v.

W. TOWNSEND; RODNEY JACOBS,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Rossie David Alston, Jr., District Judge. (1:25-cv-00716-RDA-LRV)

Submitted: August 13, 2026 Decided: August 21, 2026

Before NIEMEYER, QUATTLEBAUM, and HEYTENS, Circuit Judges.

Remanded by unpublished per curiam opinion.

N'Neka Henderson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

N'Neka Henderson, a Virginia inmate, filed a 42 U.S.C. § 1983 complaint, then moved to proceed in forma pauperis (IFP). As part of her IFP application, Henderson signed a consent form agreeing to maintain a certain minimum balance in her inmate trust account and to authorize her correctional institution to withdraw money from her account in order to satisfy the court filing fee. Henderson failed to comply with the terms of the consent form, so the district court ordered her to show cause why her complaint should not be dismissed. In response, Henderson represented that she had now paid the filing fee in full. Seeing no evidence of any such payment, the court dismissed the action.

Henderson appealed, then sent the district court a letter—docketed as a Fed. R. Civ. P. 60(b) motion—with proof that she had in fact paid the full filing fee. The court issued an indicative ruling under Fed. R. Civ. P. 62.1, explaining that it presently lacked jurisdiction over the Rule 60(b) motion but that it would be inclined to grant the motion were this court to remand the matter.

We find that a remand is warranted. *See Fobian v. Storage Tech. Corp.*, 164 F.3d 887, 890-91 (4th Cir. 1999). Accordingly, we remand to the district court for the limited purpose of ruling on Henderson's Rule 60(b) motion. The record, as supplemented, will then be returned to this court for further consideration.

REMANDED