

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 20-6922

MARCUS L. CARNES,

Plaintiff - Appellant,

v.

S. BRYSON, Dentist, USP Lee,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at
Roanoke. James P. Jones, District Judge. (7:20-cv-00217-JPJ-PMS)

Submitted: August 25, 2020

Decided: August 28, 2020

Before KING and AGEE, Circuit Judges, and SHEDD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Marcus L. Carnes, Appellant Pro Se. Krista Consiglio Frith, Assistant United States
Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Roanoke, Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marcus L. Carnes appeals the district court's order dismissing his civil action seeking injunctive relief pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), without prejudice for failure to comply with a court order. *See* Fed. R. Civ. P. 41(b). We have reviewed the record and find no abuse of discretion in the district court's decision to dismiss the action without prejudice. *See Attkisson v. Holder*, 925 F.3d 606, 625 (4th Cir. 2019) (discussing relevant considerations); *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989) (standard of review). Accordingly, we affirm for the reasons stated by the district court. *Carnes v. Bryson*, No. 7:20-cv-00217-JPJ-PMS (W.D. Va. June 10, 2020). We deny Carnes' motion to consolidate and for summary reversal. 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