

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6033

CHARLIE L. HARDIN,

Plaintiff - Appellant,

v.

TABOR CORRECTIONAL INSTITUTION; AMY JACOBS; GEORGE W. BAYSDEN, JR.; JAMIE L. BULLARD; DOCTOR WHITE; HEAD NURSE SCOTT; EWARD; ROSEMARY BIANCARDIN; OFFICER JAMES HUNT; WILLIAM GEORGE; CASE MANGER YORK,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Richard E. Myers, II, Chief District Judge. (5:21-ct-03067-M)

Submitted: March 24, 2022

Decided: March 29, 2022

Before MOTZ, WYNN, and RICHARDSON, Circuit Judges.

Vacated and remanded by unpublished per curiam opinion.

Charlie L. Hardin, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charlie L. Hardin, a North Carolina state prisoner, appeals from the district court's order dismissing without prejudice his civil action for failing to comply with its November 22, 2021, order directing him to file an amended complaint no later than December 7, 2021. On appeal, Hardin states that he did not timely comply because he did not receive the November 22 order and the accompanying form for him to file the amended complaint until the December 7 deadline. Hardin's amended complaint dated December 7, 2021, was received in the district court on December 16, 2021, two days after the entry of the district court's judgment. Under these circumstances, we vacate the district court's order and remand for the court to determine whether Hardin's amended complaint complies with the November 22 order. 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.

VACATED AND REMANDED