

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-2321

RONALD MU'MIN OWENS-BEY,

Plaintiff - Appellant,

versus

CARLA FOSTER RHODES, individually and as Program Administrator-DHR-BCDSS; MARSHA GARRISON, individually and as Unit Administrator-DHR-BCDSS; JERRI TOMSIK SOBUS, Individually and as Personnel Administrator-DHR-BCDSS; SHAWNA CUNNINGHAM, Individually and as a Family Services Supervisor-DHR-BCDSS; SAMUEL CHAMBERS, JR., Individually and as Director-DHR-BCDSS; GINGER SCOTT, Individually and as Acting Appointing Authority-DHR-BCDSS; CHRISTOPHER J. MCCABE, Individually and as Secretary-Maryland Department of Human Resources; CHERYL PARKER SIMPSON, Individually and as Assistant City Solicitor, Baltimore City-DSS; STEPHANIE A. LEWIS, Individually and as Assistant Attorney General-DHR-BCDSS; CATHERINE M. SHULTZ, Individually and as Principal Counsel, Department of Human Resources,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Andre M. Davis, District Judge. (1:06-cv-02871-AMD)

Submitted: March 29, 2007

Decided: April 2, 2007

Before MOTZ, TRAXLER, and DUNCAN, Circuit Judges.

Vacated and remanded by unpublished per curiam opinion.

Ronald Mu'Min Owens-Bey, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ronald Mu'Min Owens-Bey appeals the district court's order dismissing without prejudice his civil action alleging wrongful discharge from his employment. The court reasoned that Owens-Bey failed to comply with its prior order directing him to file a copy of the right-to-sue letter issued by the Equal Employment Opportunity Commission and either to pay the filing fee or to apply to proceed in forma pauperis. Our review of the record discloses that Owens-Bey timely filed a copy of the right-to-sue letter and filed an affidavit declaring he was unemployed and owned no property or automobiles. Because Owens-Bey complied with the district court's prior order, we vacate the court's order dismissing the action without prejudice and remand for further proceedings. We grant Owens-Bey leave to proceed on appeal in forma pauperis and dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

VACATED AND REMANDED