

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-7096

ARTHUR LEE SMITH, JR.,

Plaintiff - Appellant,

v.

GEORGE TURNER, Correctional Officer, Greensville Correctional Center; G. M. HINKLE, Chief Warden, Greensville Correctional Center; GENE M. JOHNSON, Director,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, Senior District Judge. (3:07-cv-00133-REP)

Submitted: March 27, 2008

Decided: April 1, 2008

Before TRAXLER and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Arthur Lee Smith, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Arthur Lee Smith, Jr., appeals the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (2000) complaint for failure to pay the initial partial filing fee. In his informal appellate brief, Smith failed to address the district court's basis for dismissing his case. Therefore, Smith has waived appellate review of that issue. See 4th Cir. R. 34(b) ("The Court will limit its review to the issues raised in the informal brief."). Accordingly, we affirm. We deny as unnecessary Smith's motion to proceed in forma pauperis on appeal 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.

AFFIRMED