

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6790

GREGORY A. RICHARDSON,

Plaintiff - Appellant,

v.

REBECKA KELLY, Warden, sued in her individual and official capacities; WOODSON, Assistant Warden, sued in his official and individual capacities; COMMONWEALTH OF VIRGINIA,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, Senior District Judge. (3:08-cv-00229-REP)

Submitted: December 20, 2011 Decided: December 22, 2011

Before MOTZ, DUNCAN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Gregory A. Richardson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gregory A. Richardson appeals the district court's order dismissing his 42 U.S.C. § 1983 (2006) action for failure to follow the court's order. Despite notice and warning that failure to comply would result in dismissal, Richardson failed to follow the court's order directing him to conform his complaint to the terms of his pre-filing injunction. Accordingly, the district court dismissed the action without prejudice under Fed. R. Civ. P. 41(b).

We have reviewed the record and find no reversible error. A district court may dismiss an action for failure to comply with its orders, Ballard v. Carlson, 882 F.2d 93, 95-96 (4th Cir. 1989) (dismissal appropriate sanction where litigant disregarded court order despite warning that failure to comply with order would result in dismissal), and we find no abuse of discretion in the district court's dismissal. Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978) (providing review standard). Therefore, we deny Richardson's motion to proceed in forma pauperis and affirm for the reasons stated by the district court. Richardson v. Kelly, No. 3:08-cv-00229-REP (E.D. Va. May 13, 2011). We 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