

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

**No. 13-1279**

ROBERT SAUNDERS, Administrator of the Estate of the late  
Sara E. Saunders,

Plaintiff - Appellant,

v.

SUNBRIDGE CARE & REHABILITATION CENTER; DIRECTOR AT  
SUNBRIDGE CARE & REHABILITATION CENTER; DIRECTOR OF NURSING  
SUNBRIDGE CARE & REHABILITATION CENTER,

Defendants - Appellees.

Appeal from the United States District Court for the District of  
Maryland, at Baltimore. George L. Russell, III, District Judge.  
(1:12-cv-02756-GLR)

Submitted: August 29, 2013

Decided: September 3, 2013

Before DUNCAN, AGEE, and KEENAN, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Robert Saunders, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Saunders appeals the district court's order dismissing his civil complaint for failure to comply with a court order. See Fed. R. Civ. P. 41(b). We conclude that the district court did not abuse its discretion in dismissing the action for failing to comply with the court's order directing Saunders to secure counsel to represent his wife's estate, having warned him that noncompliance could result in dismissal and given him multiple extensions of time to comply. See Ballard v. Carlson, 882 F.2d 93, 95-96 (4th Cir. 1989). We conclude, however, that the dismissal should be without prejudice. Choice Hotels, Int'l, Inc. v. Goodwin & Boone, 11 F.3d 469, 471-72 (4th Cir. 1993). Accordingly, we grant leave to proceed in forma pauperis and affirm the order of the district court, modified to reflect that the dismissal is without prejudice. 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 AS MODIFIED