

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-7037**

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OMEAKO L. BRISBON,

Plaintiff - Appellant,

v.

LATICIA OWENS, Head Nurse; MARY LOCKLEAR, Assistant  
Superintendent; BRAD PERRITT, Superintendent,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. Malcolm J. Howard,  
Senior District Judge. (5:14-ct-03282-H)

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Submitted: November 23, 2015                      Decided: December 31, 2015

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Before WYNN and THACKER, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Affirmed as modified by unpublished per curiam opinion.

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Omeako L. Brisbon, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Omeako L. Brisbon appeals the district court's order dismissing his 42 U.S.C. § 1983 (2012) complaint under 28 U.S.C. § 1915A(b)(1) (2012). We have reviewed the record and find no reversible error. However, under the circumstances of this case, we conclude that the district court should have dismissed Brisbon's complaint without prejudice. Accordingly, we affirm the dismissal order, with the modification that the dismissal is without prejudice. See *Brisbon v. Owens*, No. 5:14-ct-03282-H (E.D.N.C. June 24, 2015). 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