

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-7661**

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MINYARD DAVIS,

Plaintiff - Appellant,

and

MILTON BROWN; FRANCISCO HERNANDEZ; WAYNE MCKINSEY,

Plaintiffs,

v.

DAVID SIMONS, Superintendent; EDWARD TAYLOR, III, Assistant  
Superintendent; T. D. HATCHETT, Major Chief of Security,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Norfolk. Raymond A. Jackson, District  
Judge. (2:14-cv-00006-RAJ-DEM)

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Submitted: February 25, 2016

Decided: March 1, 2016

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Before SHEDD and HARRIS, Circuit Judges, and DAVIS, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Minyard Cass Davis, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Minyard Davis appeals the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (2012) complaint for failure to comply with a court order. Rule 41(b) of the Federal Rules of Civil Procedure permits a district court to dismiss an action based on a plaintiff's failure to comply with any order. Where a litigant has ignored a district court's express warning that noncompliance will result in dismissal, it is appropriate for the court to dismiss the case. See Ballard v. Carlson, 882 F.2d 93, 95-96 (4th Cir. 1989). Based on our review of the record in this case, we discern no abuse of discretion in the district court's ruling. We therefore affirm the district court's order. See Davis v. Simons, No. 2:14-cv-00006-RAJ-DEM (E.D. Va. Sept. 15, 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