

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-7531

DE' ANDRE DUNSTON,

Plaintiff - Appellant,

v.

NURSE BROWN, Medical/Nurse; RIVERSIDE REGIONAL JAIL, Kitchen,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at
Richmond. Henry E. Hudson, District Judge. (3:17-cv-00638-HEH-RCY)

Submitted: March 29, 2018

Decided: April 3, 2018

Before AGEE and DIAZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

De' Andre Dunston, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

De'Andre Dunston, a Virginia inmate, appeals the district court's order dismissing without prejudice Dunston's 42 U.S.C. § 1983 (2012) civil rights action for failure to comply with the court's prior order giving him 30 days to submit a consent form authorizing the collection of the filing fee from his inmate trust account. While this appeal was pending, Dunston completed and submitted the required consent form. The district court, in an order issued on November 21, 2017, reinstated the action, albeit under a new civil number. By virtue of this order, the district court effectively granted Dunston the only relief he could have obtained by way of this appeal. Accordingly, we dismiss this appeal as moot. *See CVLR Performance Horses, Inc. v. Wynne*, 792 F.3d 469, 474 (4th Cir. 2015) ("Litigation may become moot during the pendency of an appeal when an intervening event makes it impossible for the court to grant effective relief to the prevailing party."). 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.

DISMISSED