

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-2126

TIGRESS SYDNEY ACUTE MCDANIEL,

Plaintiff - Appellant,

v.

THE STATE OF NORTH CAROLINA; SOUTHERN ASSOCIATION OF COLLEGES AND SCHOOLS COMMISSION ON COLLEGES; NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY; STEPHANIE D. LYNCH, in her individual and official capacity; KEITH SCHIMMEL, in his individual and official capacity; KATHERINE MURPHY, in her individual and official capacity; CHARLES WALDRUP, in his individual and official capacity; SHERRI AVENT, in her individual and official capacity; HAROLD MARTIN, in his individual and official capacity; DONNA EATON, in her individual and official capacity; NICOLE PRIDE, in her individual and official capacity; BERYL MCEWEN, in her individual and official capacity; CLAY GLOSTER, in his individual and official capacity; BETHANY MEIGHEN, in her individual and official capacity; VINCENT CHILDRESS, in his individual and official capacity; OSEI YEBOAH, in his individual and official capacity; TERRANCE W. THOMAS, in his individual and official capacity; MELISSA HOLLOWAY, in her individual and official capacity; UNITED STATES DEPARTMENT OF EDUCATION, Office of Civil Rights Division; THE UNIVERSITY OF NORTH CAROLINA SYSTEM,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Graham C. Mullen, Senior District Judge. (3:21-cv-00425-GCM)

Submitted: May 24, 2022

Decided: May 26, 2022

Before NIEMEYER, KING, and RICHARDSON, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Tigress Sydney Acute McDaniel, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tigress Sydney Acute McDaniel appeals the district court's order dismissing her civil action without prejudice for failure to pay the filing fee. Prior to this, the court denied McDaniel leave to proceed in forma pauperis (IFP) and afforded her 14 days to pay the filing fee, which she did not. Because we conclude that the district court did not abuse its discretion in denying McDaniel's application to proceed IFP, *see Dillard v. Liberty Loan Corp.*, 626 F.2d 363, 364 (4th Cir. 1980) (providing standard of review), we discern no error in the court's order dismissing without prejudice McDaniel's civil action for failing to pay the filing fee. Accordingly, we affirm for the reasons stated by the district court. *McDaniel v. North Carolina*, No. 3:21-cv-00425-GCM (W.D.N.C. Sept. 21, 2021). 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