

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 22-1923**

---

DANIEL JOHNSON WILLIS,

Plaintiff - Appellant,

v.

JONES COUNTY PUBLIC SCHOOLS; THE TOWN OF TRENTON; DARLENE SPIVEY, Mayor; TRENTON TOWN ALDERMEN; JONES COUNTY BOARD OF COMMISSIONERS, Altogether, while in conspiracy, and/or their successors; FRANKIE HOWARD, Manager,

Defendants - Appellees.

---

Appeal from the United States District Court for the Eastern District of North Carolina, at Greenville. James C. Dever III, District Judge. (4:22-mc-00001-D)

---

Submitted: December 15, 2022

Decided: December 19, 2022

---

Before GREGORY, Chief Judge, and WILKINSON and DIAZ, Circuit Judges.

---

Vacated and remanded by unpublished per curiam opinion.

---

Daniel Johnson Willis, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Daniel Johnson Willis appeals the district court's order denying his motion for leave to file a civil complaint. The district court denied the motion because Willis had failed to comply with its earlier order to (1) either file an application to proceed without prepayment of fees or pay \$49, and (2) submit additional paperwork. The earlier order directed Willis to complete those actions within 14 days from the filing of the order and was signed August 10, 2022, but was not filed until August 12, 2022. On August 23, 2022, only 11 days after the earlier order was filed, the district court denied Willis' motion for leave to file his civil complaint because he had failed to fully comply. At the time of the entry of the August 23 denial order, Willis had submitted all of the required paperwork save for the application to proceed without prepayment of fees.\* Willis also had not paid the \$49 filing fee.

Because the district court prematurely denied Willis' motion for leave to file his civil complaint, we vacate the district court's August 23, 2022, order and remand so that the district court can provide Willis another opportunity to correct any remaining deficiencies that it identifies. 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.

*VACATED AND REMANDED*

---

\* We express no view as to whether Willis properly completed that paperwork.