

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-6154

ANTHONY LAMONT DIGGS,

Plaintiff - Appellant,

v.

DR. VAN BUSKIRK, E, BID,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at
Richmond. M. Hannah Lauck, District Judge. (3:23-cv-00768-MHL-MRC)

Submitted: April 11, 2024

Decided: April 16, 2024

Before AGEE and QUATTLEBAUM, Circuit Judges, and FLOYD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Anthony Lamont Diggs, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Lamont Diggs appeals the district court's order dismissing his civil action without prejudice for failure to prosecute under Fed. R. Civ. P. 41(b). In its order, the court explained that Diggs had failed to comply with the court's direction to complete a fee collection form. We discern no abuse of discretion in the court's decision, *see Simpson v. Welch*, 900 F.2d 33, 36 (4th Cir. 1990) (providing standard of review), and we therefore affirm.* We deny Diggs' motion to appoint counsel. 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

* Because the action was dismissed without prejudice, Diggs may refile his complaint in the district court. For this reason, we need not address Diggs' claim that he did not receive the fee collection form in time to meet the court's deadline.