

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 20-1921

DERRICK MICHAEL ALLEN, SR.,

Plaintiff - Appellant,

v.

SUNTRUST BANK; TRUIST BANK; HEATH CAMPBELL; BETH BARHAM,

Defendants - Appellees.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Thomas D. Schroeder, Chief District Judge. (1:20-cv-00293-TDS-LPA)

Submitted: December 21, 2020

Decided: January 7, 2021

Before MOTZ, DIAZ, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Derrick Michael Allen, Sr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Derrick Michael Allen, Sr., appeals the district court's order accepting the recommendation of the magistrate judge and dismissing Allen's 42 U.S.C. § 1983 complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Allen v. SunTrust Bank*, No. 1:20-cv-00293-TDS-LPA (M.D.N.C. Aug. 21, 2020). We deny Allen's motions to appoint counsel and for a transcript at government expense. 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

FILED: January 7, 2021

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(1:20-cv-00293-TDS-LPA)

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Plaintiff - Appellant

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Defendants - Appellees

J U D G M E N T

In accordance with the decision of this court, the judgment of the district court is affirmed.

This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41.

/s/ PATRICIA S. CONNOR, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DERRICK MICHAEL ALLEN, SR.)	
)	
Plaintiff,)	
)	
v.)	1:20CV293
)	
SUNTRUST BANK, et al.,)	
)	
Defendants.)	

JUDGMENT

For the reasons set forth in the Order filed contemporaneously
with this Judgment,

IT IS THEREFORE ORDERED AND ADJUDGED that this action is
dismissed for want of subject matter jurisdiction.

/s/ Thomas D. Schroeder
United States District Judge

August 21, 2020

DERRICK MICHAEL ALLEN, SR.)
)
 Plaintiff,)
)
 v.) 1:20CV293
)
 SUNTRUST BANK, et al.,)
)
 Defendants.)

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on April 1, 2020, was served on the parties in this action. (Text Order and Recommendation dated Apr. 1, 2020; Doc. 6.) Plaintiff objected to the Recommendation. (Doc. 8.)

IT IS THEREFORE ORDERED that this action is dismissed for want of subject matter jurisdiction.

Case 1:20-cv-00293-TDS-LPA Document 10 Filed 08/21/20 Page 1 of 2

been wronged; he must have a good faith basis in fact and in law to support his claims. While his *pro se* status entitles him to some consideration as a non-lawyer, it does not excuse him from his obligation to file only claims that have a good faith basis. Continued filing of frivolous cases diverts the court's attention from cases that actually raise cognizable claims and thus slows the court's ability to administer justice. Sanctions, including a pre-filing injunction, are options available to the court to address continued frivolous filings.

/s/ Thomas D. Schroeder
United States District Judge

August 21, 2020