

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1135

WILSON OCHAR,

Plaintiff - Appellant,

v.

ROY S. RUBENFIELD,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at
Alexandria. Patricia Tolliver Giles, District Judge. (1:24-cv-01001-PTG-IDD)

Submitted: May 22, 2025

Decided: May 28, 2025

Before KING, AGEE, and WYNN, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Wilson Ochar, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Wilson Ochar filed this civil action in a Virginia circuit court, then removed it to federal district court. The district court dismissed Ochar's federal claims for failure to state a claim, declined to exercise supplemental jurisdiction over his state law claims, and remanded the state law claims to the Virginia court. Ochar appeals.

Because Ochar removed his own complaint from state court to federal court, the district court lacked jurisdiction over this action. *See* 28 U.S.C. § 1441(a) (providing that only "the defendant or the defendants" may remove state action to federal court); *Common Cause v. Lewis*, 956 F.3d 246, 252 (4th Cir. 2020) (indicating that removal is a jurisdictional matter). Accordingly, we affirm the district court's order as modified to reflect that the federal claims are dismissed without prejudice for lack of subject matter jurisdiction. We deny each of Ochar's pending motions. 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 AS MODIFIED