

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1667

DEREK N. JARVIS,

Plaintiff - Appellant,

v.

STATE OF MARYLAND,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Alexander Williams, Jr., District Judge. (8:10-cv-01173-AW)

Submitted: August 26, 2010

Decided: September 1, 2010

Before KING and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Derek N. Jarvis, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Derek N. Jarvis appeals the district court's order dismissing his 42 U.S.C. § 1983 (2006) complaint without prejudice. The district court dismissed the complaint because Jarvis did not comply with Fed. R. Civ. P. 8(a)(2), requiring a short and plain statement of his claims.

Generally, a district court's dismissal of a complaint without prejudice is not appealable. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1067 (4th Cir. 1993) (holding that "a plaintiff may not appeal the dismissal of his complaint without prejudice unless the grounds for dismissal clearly indicate that no amendment [in the complaint] could cure the defects in the plaintiff's case") (alteration in original) (internal quotation marks omitted). In this case, Jarvis would be able to save his action by amending his complaint to comply with the district court's order. Therefore, the district court's dismissal of Jarvis' complaint without prejudice is not an appealable final order. Accordingly, we dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED