

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-2057**

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LOUSHONDA MYERS; C.M., a minor child; A.M., a minor child;  
M.M., a minor child,

Plaintiffs - Appellants,

v.

THE STATE OF NORTH CAROLINA; KRISTA L. BENNET, individually and in her official capacity as Facilitator with the North Carolina State Bar; FERN GUNN SIMEON, individually and in her official capacity as Deputy Counsel with the North Carolina State Bar; JOHN SILVERSTEIN, individually and in his official capacity as Councilor-Subcommittee III with the North Carolina State Bar; UNKNOWN AGENTS OF THE NORTH CAROLINA STATE BAR, individually and in their official capacities; SHERIFF STEVE BIZZELL, individually and in his official capacity as an employee with the Johnston County Sheriff's Office; CAPTAIN A.C. FISH, individually and in his official capacity as an employee with the Johnston County Sheriff's Office; DETECTIVE C.K. ALLEN, individually and in his official capacity as an employee with the Johnston County Sheriff's Office; DETECTIVE DON PATE, individually and in his official capacity as an employee with the Johnston County Sheriff's Office; DETECTIVE J. CREECH, individually and in his official capacity as an employee with the Johnston County Sheriff's Office; DETECTIVE J. CANADY, individually and in his official capacity as Detective with the Johnston County Sheriff's Office; DETECTIVE A. CASE, individually and in his official capacity as an employee with the Johnston County Sheriff's Office; CAPTAIN D. DAUGHTRY, individually and in his official capacity as an employee with the Johnston County Sheriff's Office; LIEUTENANT STEWART, individually and in his official capacity as an employee with the Johnston County Sheriff's Office; LIEUTENANT DANNY JOHNSON, individually and in his official capacity as an employee with the Johnston County Sheriff's Office; DEPUTY BILLIS/GILLIS, individually and in his official capacity as an employee with the Johnston

County Sheriff's Office; UNKNOWN OFFICERS AND AGENTS OF THE JOHNSTON COUNTY SHERIFF'S DEPARTMENT, individually and in their official capacities; CARMEN CARRAE, individually and in her official capacity as an employee with the Johnston County Department of Social Services; KIMBERLY FRANKLIN, individually and in her official capacity as an employee with the Johnston County Department of Social Services; UNKNOWN OFFICERS AND AGENTS OF THE JOHNSTON COUNTY DEPARTMENT OF SOCIAL SERVICES, individually and in their official capacities; MAGISTRATE KEITH UNDERWOOD, individually and in his official capacity as an employee with the North Carolina Court System, Johnston County; MAGISTRATE/JUDGE WALTER STANLEY, individually and in his official capacity as an employee with the North Carolina Court System, Johnston County; SUSAN DOYLE, individually and in her official capacity as an employee with the Johnston County District Attorney's Office; ADREN HARRIS, individually and in his official capacity as an employee with the Johnston County District Attorney's Office; ATTORNEY ALETA BALLARD, individually and in her official capacities; ATTORNEY STEVEN WALKER, individually and in his official capacities; DONNIE HARRISON, individually and in his official capacity as an employee with the Wake County Sheriff's Office; UNKNOWN OFFICERS/AGENTS OF THE WAKE COUNTY SHERIFF'S DEPARTMENT, individually and in their official capacities; BALLARD LAW FIRM, PLLC; WALKER LAW FIRM, PLLC; JOHNSTON COUNTY, NORTH CAROLINA; NORTH CAROLINA COURT SYSTEM; OFFICE OF INDIGENT SERVICES; JOHNSTON COUNTY PUBLIC DEFENDER'S OFFICE; JOHNSTON COUNTY DISTRICT ATTORNEY'S OFFICE; WAKE COUNTY, NORTH CAROLINA; NORTH CAROLINA DEPARTMENT OF HEALTH & HUMAN SERVICES; NORTH CAROLINA STATE BAR; JOHNSTON COUNTY SHERIFF DEPARTMENT; JOHNSTON COUNTY DEPARTMENT OF SOCIAL SERVICES; WAKE COUNTY SHERIFF DEPARTMENT; TERRAE CARMON,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, Chief District Judge. (5:12-cv-00714-D)

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Submitted: November 1, 2013

Decided: November 6, 2013

Before MOTZ, SHEDD, and DAVIS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Loushonda Myers, Appellant Pro Se. Grady L. Balentine, Jr., Special Deputy Attorney General, Raleigh, North Carolina; Brian Peter Durelle Oten, NORTH CAROLINA STATE BAR, Raleigh, North Carolina; Grant Stephen Mitchell, Timothy C. Smith, MITCHELL LAW GROUP, Fayetteville, North Carolina; David Franklin Mills, DAVID S. MILLS, PA, Smithfield, North Carolina; John Peter O'Hale, NARRON, O'HALE & WHITTINGTON, PA, Smithfield, North Carolina; John T. Holden, Joseph Lawrence Nelson, DICKIE, MCCAMEY & CHILCOTE, Charlotte, North Carolina; Roger A. Askew, John Albert Maxfield, WAKE COUNTY ATTORNEY'S OFFICE, Raleigh, North Carolina; Angenette R. Stephenson, NORTH CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Appellants seek to appeal the district court's order dismissing claims against some defendants without prejudice and granting Appellant Loushonda Myers leave to amend the complaint. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Appellants seek to appeal is neither a final order nor an appealable interlocutory or collateral 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 this court and argument would not aid the decisional process.

DISMISSED