

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1762

MARIE ASSA'AD-FALTAS, MD MPH,

Plaintiff - Appellant,

v.

COLUMBIA SC, CITY OF; THE CITY'S POLICE DEPARTMENT, for damages and injunctive and declaratory relief; SARA HEATHER SAVITZ WEISS, individually for damages; TANDY CARTER, individually for damages; DEBBIE C. JORDAN, individually for damages; MICHAEL KING, individually for damages; CPD CAPTAIN GREGORY A. SHARP, individually for damages; CPD SARGENT JAMES AULD, individually for damages; CPD OFFICER BROWN, individually for damages; CPD OFFICER GIRARD, individually for damages; RICHLAND/COLUMBIA DISPATCHER BRUNER, individually for damages; RETIRED CPD SARGENT JOSEPH SMITH, individually for damages; DANA ELIZABETH DAVIS TURNER, individually for damages; PAMELA ELAINE JACOBS HAWKINS, individually for damages; ATTORNEY DAVID W. FARRELL, individually for damages; ATTORNEY ROBERT G. COOPER, individually for damages; DINAH GAIL STEELE; LARRY WAYNE MASON; JOHN MITCHEL JONES; CHARLENE CROUCH; TERESA FELICIA INGRAM-JACKSON, individually for damages; STEELE ENTERPRISES, corporation owned by Steele and/or Mason for damages; AAA INVESTIGATIONS, corporation owned by Steele and/or Mason for damages; J. ANDREW DELANEY, individually for damages; MCANGUS GOUDELOCK & COURIE, for damages; REUBEN SANTIAGO, Interim CPD Chief solely officially for injunctive and declaratory relief; TERESA WISLON, Manger of the City solely officially for injunctive and declaratory relief; ALAN WILSON, Attorney General of South Carolina solely officially for injunctive and declaratory relief, and other presently-unknown persons and entities who acted to injure Plaintiff on 12 December 2009,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Columbia. Terry L. Wooten, Chief District Judge. (3:13-cv-02715-TLW)

Submitted: December 10, 2014 Decided: December 19, 2014

Before DUNCAN and DIAZ, Circuit Judges, and DAVIS, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Marie Assa'ad-Faltas, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marie Therese Assa'ad-Faltas seeks to appeal the district court's order adopting the magistrate judge's recommendation to dismiss her 42 U.S.C. § 1983 (2012) complaint, without prejudice, after a 28 U.S.C. § 1915 (2012) review, and denying her motion to amend. Assa'ad-Faltas has also filed motions for an extension of time to file an opening brief, to place her appeal in abeyance, and for injunctive relief pending the appeal.

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders. 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Assa'ad-Faltas seeks to appeal is neither a final order nor an appealable interlocutory or collateral order because it is possible for her to cure many of the pleading deficiencies that were identified by the district court. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993) (holding that a dismissal without prejudice is not appealable unless it is clear that no amendment to the complaint "could cure the defects in the plaintiff's case") (internal quotation marks omitted); see also Chao v. Rivendell Woods, Inc., 415 F.3d 342, 345 (4th Cir. 2005) (explaining that, under Domino Sugar, this court must "examine

the appealability of a dismissal without prejudice based on the specific facts of the case in order to guard against piecemeal litigation and repetitive appeals").

Accordingly, we deny Assa'ad-Faltas's motions for an extension of time to file an opening brief, to place her appeal in abeyance, and for injunctive relief pending the appeal,* and 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

* We recognize that Assa'ad-Faltas filed identical motions in three other appeals she currently has pending in this Court (Appeal Nos. 14-2167, 14-2258, and 14-2263). By this disposition, we express no opinion as to the merits of the motions filed in those appeals.