

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-7085

JOSE REYES-FIGUEROA,

Petitioner - Appellant,

v.

R. A. PURDUE,

Respondent - Appellee.

Appeal from the United States District Court for the Northern
District of West Virginia, at Wheeling. Frederick P. Stamp,
Jr., Senior District Judge. (5:14-cv-00052-FPS-JES)

Submitted: November 20, 2014

Decided: November 25, 2014

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

Dismissed by unpublished per curiam opinion.

Jose Reyes-Figueroa, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jose Reyes-Figueroa seeks to appeal the district court's order dismissing without prejudice his 28 U.S.C. § 2241 (2012) petition. The district court dismissed the petition pursuant to Fed. R. Civ. P. 41(b) when Reyes-Figueroa failed to correct deficiencies in his petition after being ordered to do so by the district court. Because Reyes-Figueroa may file an amended petition to cure the defects identified by the district court, we find that the dismissal order is interlocutory and not appealable. See Chao v. Rivendell Woods, Inc., 415 F.3d 342, 345 (4th Cir. 2005); Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Accordingly, we deny leave to proceed in forma pauperis and 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