

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1028

CLARA LEWIS BROCKINGTON,

Plaintiff - Appellant,

v.

S.C. DEPARTMENT OF SOCIAL SERVICES; REESE PALMER,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at
Florence. R. Bryan Harwell, District Judge. (4:16-cv-03326-RBH)

Submitted: April 25, 2017

Decided: April 28, 2017

Before MOTZ, DUNCAN, and AGEE, Circuit Judges.

Dismissed and remanded by unpublished per curiam opinion.

Clara Lewis Brockington, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clara Lewis Brockington seeks to appeal the district court's order accepting the magistrate judge's recommendation and dismissing her civil complaint without prejudice for lack of subject matter jurisdiction. 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). Because it is possible that Brockington could cure the defects in her complaint through amendment, the order she seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. *See Goode v. Cent. Va. Legal Aid Soc'y*, 807 F.3d 619, 623-25, 628-30 (4th Cir. 2015). Accordingly, we dismiss the appeal for lack of jurisdiction and remand the case to the district court with instructions to allow Brockington to file an amended complaint. 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 AND REMANDED