

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-7435

JOSEPH MILLER,

Plaintiff - Appellant,

v.

LT. MICHAEL TATE,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Baltimore.
Ellen L. Hollander, District Judge. (1:19-cv-02531-ELH)

Submitted: December 17, 2019

Decided: December 20, 2019

Before KING, FLOYD, and HARRIS, Circuit Judges.

Dismissed and remanded with instructions by unpublished per curiam opinion.

Joseph Miller, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Miller seeks to appeal the district court's order dismissing without prejudice Miller's 42 U.S.C. § 1983 (2012) complaint and the district court's order denying Miller's motion for reconsideration. 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 Miller seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. *See Goode v. Cent. Va. Legal Aid Soc'y, Inc.*, 807 F.3d 619, 623-25 (4th Cir. 2015). Accordingly, we dismiss the appeal for lack of jurisdiction and remand the case to the district court with instructions to allow Miller to amend his 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
WITH INSTRUCTIONS*