

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-6858

CLEVEN LEWIS ROBERSON,

Plaintiff - Appellant,

versus

PAUL GRAZIANO, Executive Director, Housing
Authority of Baltimore City,

Defendant - Appellee.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. Richard D. Bennett, District Judge.
(1:05-cv-02725-RDB)

Submitted: September 27, 2006

Decided: October 13, 2006

Before NIEMEYER and SHEDD, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Cleven Lewis Roberson, Appellant Pro Se. Samuel Maddox Riley,
SAMUEL M. RILEY, L.L.C., Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Cleven Lewis Roberson appeals the district court's order dismissing without prejudice his civil complaint for insufficiency of service of process.* We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Roberson v. Graziano, No. 1:05-cv-02725-RDB (D. Md. filed Apr. 27, 2006 & entered Apr. 28, 2006). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

*Generally, dismissals without prejudice are interlocutory and not appealable. Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066 (4th Cir. 1993). However, a dismissal without prejudice could be final if no amendment to the complaint would cure the defect in the plaintiff's case. Id. at 1066-67. We conclude that the order is appealable because the defect in this case (the failure to serve Defendant) can only be cured by something more than an amendment to the complaint.