

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1860

APRIL MCDANIEL,

Plaintiff - Appellant,

v.

GREYHOUND LINES, INC.; LISA BORROW, Manager at Greyhound; TOMMY SCHEWL, Area Manager at Greyhound; JANE DOE, a/k/a Leslie,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Frank D. Whitney, District Judge. (3:08-cv-00130-FDW-CH)

Submitted: December 11, 2008

Decided: December 15, 2008

Before NIEMEYER, DUNCAN, and AGEE, Circuit Judges.

Dismissed by unpublished per curiam opinion.

April McDaniel, Appellant Pro Se. Michael Douglas McKnight, Robert Allen Sar, OGLETREE, DEAKINS, NASH, SMOAK & STEWART, PC, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

April McDaniel appeals the district court's order dismissing without prejudice her civil complaint alleging employment discrimination under Title VII of the Civil Rights Act of 1964, as amended. The court specifically dismissed the action noting that because it had not ruled on the merits of the complaint and was dismissing it for lack of subject matter jurisdiction and personal jurisdiction, McDaniel was free to refile her complaint after curing these defects. A dismissal without prejudice is not reviewable by the court unless the reasons stated for the dismissal clearly disclose that no amendment to the complaint could cure its defects. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). In the present case, the district court properly found that McDaniel failed to allege facts establishing subject matter and personal jurisdiction. Because McDaniel could possibly cure these defects by amending her complaint, we dismiss this appeal. Id. 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.

DISMISSED