

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6178

GREGORY RICE,

Plaintiff - Appellant,

v.

STATE OF MARYLAND; GREGORY ALTON, Washington County Sheriff's Department; TARA BENDER, Washington County Sheriff's Department; DISTRICT COURT OF MARYLAND FOR WASHINGTON COUNTY; CIRCUIT COURT; STATES ATTORNEY'S OFFICE,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Roger W. Titus, District Judge. (8:07-cv-03294-RWT)

Submitted: March 27, 2008

Decided: April 4, 2008

Before TRAXLER and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Gregory Rice, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gregory Rice appeals the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (2000) complaint.* We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Rice v. Maryland, No. 8:07-cv-03294-RWT (D. Md. Jan. 3, 2008). 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 could cure the defect in the plaintiff's case. Id. at 1066-67. We conclude that the defects in this case can only be cured by something more than an amendment to the complaint and that the order is therefore appealable.