

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6224

WARREN CHASE,

Plaintiff - Appellant,

v.

C. BUTLER, Cpl.; D. HICKS, Cpl.; MICHAEL HICKS, Cpl.; P. HOLMES, Cpl.; MR. GREEN, Cpl.; EACH ONE OF THE VARIOUS OTHER UNIDENTIFIED CORPORALS LISTED AS JANE AND JOHN DOES; EACH ONE OF THE UNIDENTIFIED SERGEANTS LISTED AS JANE AND JOHN DOES; EACH OF THE UNIDENTIFIED LIEUTENANTS LISTED AS JANE AND JOHN DOES; EACH OF THE UNIDENTIFIED CAPTAINS LISTED AS JOHN AND JOHN DOES; EACH OF THE UNIDENTIFIED MAJORS LISTED AS JANE OR JOHN DOES; THE UNIDENTIFIED CHIEF OF SECURITY; UNIDENTIFIED WARDEN AND ASSISTANT WARDEN; CORRECTIONAL MEDICAL SERVICE, INCORPORATED, Medical Contract; HORACE ARCHAMPONG, Registered Nurse; D. LANE, Lieutenant; ERIC NELSON, Captain; D. GREEN, Cpl.; V. BAYNES, Sgt.; E. THOMPSON, Sgt.; M. REID, Major; UNIDENTIFIED MCAC CHIEF OF SECURITY; UNIDENTIFIED MCAC WARDEN; TYRONE CROWDER; DONA RILEY, Correctional Medical Services, Inc. (CMS) Registered Nurse; ZERABRUCH TEWELDE, CMS, Doctor; THAN DOC COMMISSIONER AND ASSISTANT COMMISSIONER; MARY ANN SAAR, Secretary; EACH ONE OF THE UNIDENTIFIED N.B.C.I.H.U. #1 UNIDENTIFIED CORPORALS LISTED AS JOHN AND JANE DOES; EACH ONE OF THE UNIDENTIFIED N.B.C.I. HU. #1 SERGEANTS LISTED AS JOHN AND JANE DOES; EACH ONE OF THE UNIDENTIFIED LIEUTENANTS LISTED AS JOHN AND JANE DOES; EACH ONE OF THE UNIDENTIFIED CAPTAINS AND MAJORS LISTED AS JOHN AND JANE DOES; K. DANIEL NORTHCRAFT, Chief of Security; JOHN A. ROWLEY, Warden and Assistant Warden; RICHARD J. GRAHAM, Warden and Assistant Warden; J. MICHAEL STOUFFER, Commissioner and Assistant Commissioner; JOHN P. GALLEY, Commissioner and Assistant Commissioner; GARY D. MAYNARD, Secretary and Deputy Secretary; S. LAWRENCE FRANKLIN, Secretary and Deputy Secretary; STEVEN R. BRAY, CMS Nurse; TIM, CMS Nurse;

TEARESA, CMS Nurse; RACHAEL, CMS Nurse; A. AFRICA, CMS Nurse,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Catherine C. Blake, District Judge. (1:08-cv-03483-CCB)

Submitted: July 23, 2009

Decided: July 29, 2009

Before WILKINSON and AGEE, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed in part; dismissed in part by unpublished per curiam opinion.

Warren Chase, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Warren Chase appeals a district court order dismissing his civil rights complaint concerning conditions of confinement and medical treatment. Insofar as Chase appeals the order dismissing his complaint as it pertained to events in August and September 2006, we have reviewed the record and the district court order and affirm for the reasons cited by the district court. See Chase v. Butler, No. 1:08-cv-03483-CCB (D. Md. filed Jan. 26, 2009; entered Jan. 27, 2009). Insofar as Chase appeals from the district court order dismissing without prejudice his complaint as it concerned events in 2008, a dismissal without prejudice is not reviewable by this 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). Because Chase could cure the defect in the complaint, we dismiss in part the appeal. 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 IN PART;
DISMISSED IN PART