

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-6636**

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T. THORNE-EL,

Plaintiff - Appellant,

v.

STATE OF NORTH CAROLINA,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, Chief District Judge. (5:11-ct-03069-FL)

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Submitted: September 13, 2011

Decided: September 16, 2011

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Before AGEE, DAVIS, and DIAZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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T. Thorne-El, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

T. Thorne-El appeals the district court's order dismissing his complaint without prejudice. Because Thorne-El may amend his complaint to cure the defects identified by the district court, the dismissal order is interlocutory and not appealable. See Chao v. Rivendell Woods, Inc., 415 F.3d 342, 345 (4th Cir. 2005); Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Accordingly, we dismiss the appeal for lack of jurisdiction. 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