

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-2201

STARSHA SEWELL,

Plaintiff - Appellant,

v.

JOHN HOWARD, SR.,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. J. Frederick Motz, Senior District Judge. (8:12-cv-02736-JFM)

Submitted: January 22, 2013

Decided: January 24, 2013

Before WILKINSON, NIEMEYER, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Starsha Sewell, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Starsha Sewell appeals the district court's order remanding for lack of jurisdiction and improper removal. A district court's remand order is generally not reviewable on appeal or otherwise. See 28 U.S.C. § 1447(d) (2006). While an exception applies for civil rights cases removed pursuant to 28 U.S.C. § 1443 (2006), it requires the removal petitioner to allege: (1) the denial of a right arising under federal law providing for specific civil rights stated in terms of racial equality, and (2) that she is denied or cannot enforce the specific federal rights in the state courts. Johnson v. Miss., 421 U.S. 213, 219 (1975). Because Sewell relies on 28 U.S.C. § 1983 (2006), a provision of general applicability, she cannot satisfy the first prong of Johnson. See Ga. v. Rachel, 384 U.S. 780, 792 (1966). We therefore lack authority to review the district court's remand order. We therefore deny Sewell's motion for default judgment and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED