

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7106

TIMOTHY A. JONES,

Plaintiff - Appellant,

v.

YOLANDA SMITH MOORE, Counselor, Haynesville Correctional
Unit #17; JOHN DOE; JANE DOE,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Richmond. James R. Spencer, District
Judge. (3:11-cv-00595-JRS)

Submitted: November 20, 2012

Decided: November 26, 2012

Before TRAXLER, Chief Judge, and SHEDD and FLOYD, Circuit
Judges.

Dismissed by unpublished per curiam opinion.

Timothy A. Jones, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Timothy A. Jones filed a 42 U.S.C. § 1983 (2006) complaint in the district court. He appeals the district court's order dismissing his action without prejudice for failure to comply with the magistrate judge's order informing Jones that he needed to particularize his complaint.

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-47 (1949). Because the deficiencies identified by the district court, that Jones failed to particularize his claims, may be remedied by the filing of a complaint that satisfies the requirements of the district court, we conclude that the district court's order is neither a final order nor an appealable interlocutory or collateral order. 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 this court and argument would not aid the decisional process.

DISMISSED