

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1210

JUSTIN S. KRAMER, individually and as natural parent of
A.M.K., and on behalf of parents similarly situated,

Plaintiff - Appellant,

v.

VIRGINIA STATE COURT SYSTEM; ANGELA M. KRAMER, individually
and as "custodial parent" for the State of Virginia; JOHN
BLADES, individually; TAMMIE BLADES, individually; BRIAN R.
MOORE, individually and as attorney for Angela M. Kramer;
MOSBY GARLAND PERROW, III, individually and as Circuit Court
Judge-City of Lynchburg; PHILLIPS, MORRISON, JOHNSON &
FERRELL, ATTORNEYS AT LAW, employer of Attorney Brian R.
Moore; HENRY C. DEVENING, individually and as former
attorney for plaintiff; CITY OF LYNCHBURG; STATE OF
VIRGINIA,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Lynchburg. Norman K. Moon, Senior
District Judge. (6:13-cv-00007-NKM)

Submitted: June 20, 2013

Decided: June 25, 2013

Before GREGORY, DUNCAN, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Justin S. Kramer, Appellant Pro Se. John David Gilbody, OFFICE
OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for

Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Justin S. Kramer appeals the district court's order dismissing without prejudice his civil action for lack of subject-matter jurisdiction under Fed. R. Civ. P. 12(h)(3).^{*} We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Kramer v. Va. State Court Sys., No. 6:13-cv-00007-NKM (W.D. Va. Jan. 30, 2013). 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.

AFFIRMED

^{*} While dismissals without prejudice generally are interlocutory and not appealable, a dismissal without prejudice may be final if no amendment to the complaint can cure the defects in the plaintiff's case. Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). On the available record, we conclude that the defects identified by the district court cannot be cured by an amendment to the complaint and that the order therefore is appealable.