

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1425

MICHAEL A. LEON,

Plaintiff - Appellant,

v.

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, PC, a South
Carolina professional corporation; UNITED STATES OF AMERICA,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. Timothy M. Cain, District Judge.
(6:13-cv-00072-TMC)

Submitted: May 30, 2013

Decided: June 4, 2013

Before SHEDD, DIAZ, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Michael A. Leon, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael A. Leon seeks to appeal the district court's order accepting the magistrate judge's recommendation and dismissing without prejudice Leon's civil complaint for lack of jurisdiction. 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, 545-46 (1949). The order Leon seeks to appeal is neither a final order nor an appealable interlocutory or collateral order because it is possible for him to cure the pleading deficiencies in the complaint that were identified by the district court. See 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 further deny Leon's motion to expedite as moot.

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