

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-6217

BOBBY MAURICE NICHOLSON, JR.,

Plaintiff - Appellant,

v.

HAROLD CLARKE, Director; JOHN GARMAN, West Regional Director; RANDY MATHENA; ASSISTANT KISER, Assistant Warden (Old) of Wallens Ridge S.P. and Red Onion S.P.; EDDIE L. PEARSON, Warden/Old Warden of Sussex 1 S.P.; P. KELLY, Old Warden; J. BOONE, Assistant Warden; LIEUTENANT HIGTH, Intel / Investigator Supervisor; JERRY OATE, III; F. ADAM, Sergeant; OFFICER NATHIN, Correctional Officer,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Liam O'Grady, District Judge. (1:13-cv-00875-LO-JFA)

Submitted: March 27, 2014

Decided: April 1, 2014

Before MOTZ, Circuit Judge, and HAMILTON and DAVIS, Senior Circuit Judges.

Dismissed by unpublished per curiam opinion.

Bobby Maurice Nicholson, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Bobby Maurice Nicholson, Jr., seeks to appeal the district court's order dismissing his 42 U.S.C. § 1983 (2006) complaint without prejudice for failure to comply with the court's order directing him to file a form complaint particularizing his claims. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Nicholson seeks to appeal is neither a final order nor an appealable interlocutory or collateral order, as Nicholson may be able to save his action by amending his complaint to cure the pleading deficiencies identified by the district court. 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 deny Nicholson's motions for counsel and for documentary evidence. 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