

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-2517

SHERRI BOARDLEY,

Plaintiff - Appellant,

v.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Henry E. Hudson, District Judge. (3:15-cv-00634-HEH)

Submitted: April 29, 2016

Decided: May 31, 2016

Before WILKINSON and GREGORY, Circuit Judges, and DAVIS, Senior Circuit Judge.

Dismissed and remanded by unpublished per curiam opinion.

Sherri Boardley, Appellant Pro Se. Edwin Lewis Kincer, Jr., OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sherri Boardley seeks to appeal the district court's order dismissing her complaint without prejudice. 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 Boardley seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Accordingly, we grant Appellee's motion to dismiss the appeal for lack of jurisdiction and remand the case to the district court with instructions to allow Boardley to file an amended complaint. See Goode v. Cent. Va. Legal Aid Soc'y, Inc., 807 F.3d 619, 630 (4th Cir. 2015). 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 AND REMANDED