

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1467

DOREEN SHING,

Plaintiff - Appellant,

and

MAY SHING,

Plaintiff,

v.

MD DEVELOPMENTAL DISABILITIES ADMINISTRATION; MD DEPT OF
HEALTH AND MENTAL HYGIENE,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. Richard D. Bennett, District Judge.
(1:16-cv-00683-RDB)

Submitted: January 9, 2017

Decided: January 19, 2017

Before DIAZ and HARRIS, Circuit Judges, and DAVIS, Senior
Circuit Judge.

Dismissed and remanded by unpublished per curiam opinion.

Doreen Shing, Appellant Pro Se. William G. Dunlap, OFFICE OF
THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Doreen and May Shing ("the Shings") seek to appeal the district court's order dismissing their civil complaint without prejudice for lack of subject matter jurisdiction. 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). Because it is possible that the Shings could cure the defects in their complaint through amendment, the order they seek to appeal is neither a final order nor an appealable interlocutory or collateral order. See Goode v. Cent. Va. Legal Aid Soc'y, 807 F.3d 619, 623-25 (4th Cir. 2015). Accordingly, we deny as moot Appellees' motion to submit on the briefs, dismiss the appeal for lack of jurisdiction, and remand the case to the district court with instructions to allow the Shings to file an amended complaint. 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