UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1562

SHERRY RAY EVELAND, In the Matter of; Direct Legal Descendant of the Estate Legal Executor/Personal Representative of James Ray Charles Deceased Father,

Plaintiff - Appellant,

and

JODY EVELAND, Senior, Son-In-Law of James Ray Charles Deceased; JODY EVELAND, Junior, Son-In-law of James Ray Charles Deceased,

Plaintiffs,

v.

STATE OF MARYLAND, Through its Legal Representative Brian Frosh Esq.; LEONARD E. WILSON LAW OFFICE, & Leonard Wilson Attorney Alleged; ANDRUIS D. ROGERS; WILLIAM RIDDLE LAW FIRM; LAW FIRM OF ROLLINS & DELLMYER, PA; CHARLES BERNSTEIN, Alleged Judge; BELINDA K. CONAWAY, Esq.,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Catherine C. Blake, Chief District Judge. (1:16-cv-00762-CCB)

Submitted: August 18, 2016 Decided: August 22, 2016

Before WILKINSON, KING, and KEENAN, Circuit Judges.

Dismissed and remanded by unpublished per curiam opinion.

Sherry Ray Eveland, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sherry Ray Eveland seeks to appeal the district court's order dismissing without prejudice her complaint and the district court's margin orders denying various postjudgment motions. 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).

An order dismissing a complaint without prejudice is not an appealable final order if "the plaintiff could save [her] action by merely amending the complaint." Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Where a district court dismisses an action for failure to plead sufficient facts in the complaint, we lack appellate jurisdiction because the plaintiff could amend the complaint to cure the pleading deficiency. Goode v. Cent. Va. Legal Aid Soc'y, Inc., 807 F.3d 619, 624 (4th Cir. 2015).

Accordingly, we dismiss Eveland's appeal and remand the case to the district court with instructions to allow Eveland to file an amended complaint. We deny leave to proceed in forma pauperis and deny the motion for mandamus relief. 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