

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 16-7571**

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AWAN HARDY,

Plaintiff - Appellant,

v.

BOOKER, Officer, City of Fredericksburg; TONEY, Officer,  
City of Farmville; ARIES, Officer, City of Farmville,

Defendants - Appellees,

and

PIEDMONT REGIONAL JAIL; MEDIKO PC, Piedmont Regional Jail;  
DONALD HUNTER, City of Farmville,

Defendants.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Richmond. Henry E. Hudson, District  
Judge. (3:15-cv-00484-HEH-RCY)

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Submitted: February 16, 2017

Decided: February 22, 2017

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Before GREGORY, Chief Judge, DUNCAN, Circuit Judge, and  
HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Awan Hardy, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Awan Hardy seeks to appeal the district court's order dismissing his 42 U.S.C. § 1983 (2012) complaint without prejudice for failure to serve the defendants. 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, 545-47 (1949). Because Hardy may refile his complaint and serve defendants, we conclude that the order Hardy seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Goode v. Cent. Va. Legal Aid Soc'y, Inc., 807 F.3d 619, 623 (4th Cir. 2015); Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal for lack of jurisdiction. 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