

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-7593

ANTHONY WRIGHT,

Plaintiff - Appellant,

v.

NORTH CAROLINA GENERAL ASSEMBLY; GOVERNOR OF NORTH CAROLINA,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, District Judge. (5:16-ct-03096-FL)

Submitted: January 17, 2017

Decided: January 20, 2017

Before NIEMEYER, TRAXLER, and KING, Circuit Judges.

Dismissed and remanded by unpublished per curiam opinion.

Anthony Wright, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Wright seeks to appeal the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (2012) complaint under 28 U.S.C. § 1915(e)(2)(B) (2012). 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 the deficiency identified by the district court may be remedied by the filing of an amended complaint, we conclude that the order Wright 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, 623-24 (4th Cir. 2015); Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993).

Accordingly, we dismiss this appeal for lack of jurisdiction and remand the case to the district court with instructions to allow Wright 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