

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 17-1643

MAHER SOLIMAN,

Plaintiff - Appellant,

v.

WORLDWIDE LANGUAGE RESOURCES, INC.; DOES 1-20, Inclusive,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, Chief District Judge. (5:16-cv-00748-D)

Submitted: September 22, 2017

Decided: October 4, 2017

Before SHEDD, AGEE, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Maher Soliman, Appellant Pro Se. Gabriel T. Dym, ECKERT SEAMANS CHERIN & MELLOTT, LLC, Boston, Massachusetts, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

On December 29, 2016, the district court entered its order dismissing Maher Soliman's complaint for failure to state a claim upon which relief could be granted, Fed. R. Civ. P. 12(b)(6). Soliman did not move for reconsideration of the order. Instead, on January 12, 2017, he filed a motion for leave to file an amended complaint as well as a proposed amended complaint. The district court denied the motion to amend, finding that any amendment would be futile. Soliman appeals.

We review the district court's order for abuse of discretion. *Mayfield v. National Ass'n for Stock Car Auto Racing, Inc.*, 674 F.3d 369, 379-80 (4th Cir. 2012). We have "repeatedly held that a motion to amend filed after a judgment of dismissal has been entered cannot be considered until the judgment is vacated." *Calvary Christian Ct. v. City of Fredericksburg*, 710 F.3d 536, 540 (4th Cir. 2013). Because the complaint Soliman sought to amend had been dismissed by a final judgment and he did not request that the judgment be opened or vacated, we will not consider whether the district court correctly applied Fed. R. Civ. P. 15. We therefore affirm the judgment of the district court.

We dispense with oral argument because the facts and legal arguments are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED