

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-6384

MR. TROY LAMONT BURRELL,

Plaintiff - Appellant,

v.

MR. T. DOSS, the Superintendent; MR. PROCTOR, Major; MR. WILLIAMS, Correctional Officer,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Henry E. Hudson, District Judge. (3:16-cv-00212-HEH-RCY)

Submitted: August 17, 2017

Decided: August 21, 2017

Before KEENAN, THACKER, and HARRIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Troy Lamont Burrell, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Troy Lamont Burrell seeks to appeal the district court's orders dismissing without prejudice his 42 U.S.C. § 1983 (2012) action for failure to adequately comply with the magistrate judge's order directing Burrell to particularize the complaint and denying Burrell's motion to alter or amend the judgment. 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 deficiencies identified by the district court may be remedied by the filing of an amended complaint, we conclude that the orders Burrell seeks to appeal are neither final orders nor appealable interlocutory or collateral orders. *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); *see also Bridges v. Dep't of Md. State Police*, 441 F.3d 197, 207 (4th Cir. 2006) (“The denial of reconsideration of a nonappealable order is not a final order”). Accordingly, we deny Burrell 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

* We do not remand this matter to the district court, because the court previously afforded Burrell the opportunity to amend his complaint. *Cf. Goode*, 807 F.3d at 629-30.