

UNPUBLISHED

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

No. 17-7242

ROBERT JOSEPH KING,

Plaintiff - Appellant,

v.

ROBERT NEALL, Acting Secretary of Health; JOHN ROBISON, Chief Executive Officer, Clifton T. Perkins Hospital Center, In His Individual and Official Capacity; THOMAS LEWIS, Chief Operating Officer, Clifton T. Perkins Hospital Center, In His Individual and Official Capacity; INNA TALLER, M.D., Clinical Director, Clifton T. Perkins Hospital Center, In Her Individual and Official Capacity; ARAM FARAMARZ MOKHTA ARIA, M.D., Clifton T. Perkins Hospital Center, In His Individual and Official Capacity; WAYNE NOBLE, Clifton T. Perkins Hospital Center, In His Individual and Official Capacity; CHANDRA WIGGINS, Clifton T. Perkins Hospital Center, In Her Individual and Official Capacity,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Greenbelt.
Deborah K. Chasanow, Senior District Judge. (8:16-cv-03804-DKC)

Submitted: April 30, 2018

Decided: May 23, 2018

Before TRAXLER, KING, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Robert Joseph King, Appellant Pro Se. Kathleen A. Ellis, OFFICE OF THE ATTORNEY GENERAL, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert King seeks to appeal an order of the district court dismissing King's complaint on various grounds, in part without prejudice to King's right to file an amended complaint. King has taken advantage of the district court's invitation, and his amended complaint is now pending in the district court. Appellees have moved to dismiss this appeal for lack of jurisdiction.

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). The order King seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. *See Goode v. Cent. Va. Legal Aid Soc'y, Inc.*, 807 F.3d 619, 623 (4th Cir. 2015) ("An order dismissing a complaint without prejudice is not an appealable final order under § 1291 if the plaintiff could save his action by merely amending his complaint." (internal quotation marks omitted)).

Accordingly, we grant Appellees' motion to dismiss the appeal, deny leave to proceed in forma pauperis, and dismiss the appeal for lack of jurisdiction. We deny as moot King's motion for appointment of counsel. 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