

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1461

THOMAS RAYMOND FIRRIOLO,

Plaintiff - Appellant,

v.

SOUTH CAROLINA LAW ENFORCEMENT DIVISION, State of South Carolina, Employees, et al.; LIEUTENANT ELIZABETH CORLEY, (SLED) South Carolina Law Enforcement Division, State of South Carolina; MARK KEEL, Chief of (S.L.E.D.), Law Enforcement Division, State of South Carolina; PAUL GRANT, Assistant Chief, South Carolina Law Enforcement Division, State of South Carolina; CITY OF GREENVILLE, Employees; MR. BRAD RICE; MR. JEFF BOWEN; MR. GARY FENELL; MS. JODIE DUDASH; MR. BOBBIE SKINNER; MS. CYNTHA VILARDO; MS. TOMMY, of Greenville Cares (Jane Doe),

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Columbia. Donald C. Coggins, Jr., District Judge. (3:17-cv-03319-DCC)

Submitted: October 23, 2018

Decided: October 25, 2018

Before NIEMEYER, KING, and WYNN, Circuit Judges.

Dismissed and remanded by unpublished per curiam opinion.

Thomas Raymond Firriolo, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Thomas Raymond Firriolo seeks to appeal the district court's order accepting the magistrate judge's recommendation and dismissing without prejudice his civil complaint. 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). Because it is possible that Firriolo could cure the defects in his complaint through amendment, the district court's order he seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. *See Goode v. Cent. Va. Legal Aid Soc'y*, 807 F.3d 619, 623-25, 628-30 (4th Cir. 2015). Accordingly, we dismiss the appeal for lack of jurisdiction and remand the case to the district court with instructions to allow Firriolo to file an amended complaint. We deny Firriolo's motions to appoint counsel, to order an investigation, and to subpoena records, as well as his recent motion for an extension of time to file additional supplemental briefs in this appeal.

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