

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1586

SHAUN BROWN; JENEVER BROWN,

Plaintiffs - Appellants,

and

JOBS VIRGINIA COMMUNITY DEVELOPMENT CORPORATION, a/k/a
JOBS,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF AGRICULTURE; WILLIAM STRONG,
in his official and individual capacity; VIRGINIA DEPARTMENT OF HEALTH;
DR. MICHAEL WELCH, in his official and individual capacity; JUSTIN
CURTIS, in his official and individual capacity; DENISE BRANSCOME, in her
official and individual capacity; ELIZABETH LAW, in her official and individual
capacity,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at
Alexandria. Liam O'Grady, District Judge. (1:17-cv-01377-LO-MSN)

Submitted: April 30, 2019

Decided: May 10, 2019

Before NIEMEYER, MOTZ, and FLOYD, Circuit Judges.

Dismissed and remanded by unpublished per curiam opinion.

Shaun Brown, Jenever Brown, Appellants Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shaun Brown and Jenever Brown appeal the district court's order dismissing Defendants Virginia Department of Health, Dr. Michael Welch, Justin Curtis, Denise Branscome, and Elizabeth Law from the Plaintiffs' civil rights action. 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 the action remains pending as to the United States Department of Agriculture and William Strong, the order Plaintiffs seek to appeal is neither a final order nor an appealable interlocutory or collateral order. *See Porter v. Zook*, 803 F.3d 694, 696 (4th Cir. 2015); *see also Hunter v. Town of Mocksville*, 789 F.3d 389, 402 (4th Cir. 2015). Accordingly, we dismiss the appeal for lack of jurisdiction and remand the case to the district court to consider Plaintiffs' claims against these remaining Defendants. 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