

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 21-2118**

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CAROL MOSCA,

Plaintiff - Appellant,

v.

AMERICAN MEDICAL ASSOCIATION, c/o James L. Madara, MD, CEO & EVP;  
NATIONAL INSTITUTES OF HEALTH, c/o Francis S. Collins, MD, PhD;  
CENTERS FOR DISEASE CONTROL AND PREVENTION, c/o Rochelle P.  
Walensky, MD, MPH; UNITED STATES FOOD AND DRUG  
ADMINISTRATION, c/o Janet Woodcock, MD, Acting Commissioner; UNITED  
STATES DEPARTMENT OF HEALTH & HUMAN SERVICES, c/o Xavier  
Becerra, Secretary; UNITED STATES SURGEON GENERAL, c/o Rear Admiral  
Susan Orsega, Acting Surgeon General; UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, c/o Michael S. Regan, Administrator,

Defendants - Appellees.

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Appeal from the United States District Court for the Western District of North Carolina, at  
Asheville. Max O. Cogburn, Jr., District Judge. (1:21-cv-00144-MOC-WCM)

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Submitted: December 16, 2021

Decided: December 17, 2021

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Before WYNN and RICHARDSON, Circuit Judges, and KEENAN, Senior Circuit Judge.

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Affirmed as modified by unpublished per curiam opinion.

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Carol Mosca, Appellant Pro Se. Jonathan Douglas Letzring, OFFICE OF THE UNITED STATES ATTORNEY, Asheville, North Carolina; John Michael Durnovich, Charlotte, North Carolina, Andrew Harry Erteschik, POYNER SPRUILL LLP, Raleigh, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Carol Mosca appeals the district court’s order dismissing her civil action as frivolous and for failure to state a claim. We have reviewed the record and find no reversible error. As the district court has repeatedly explained to Mosca, her allegations do not satisfy the requirements for Article III standing, which is necessary to support the district court’s jurisdiction over her action. *See, e.g., Spokeo, Inc v. Robins*, 578 U.S. 330, 338 (2016) (discussing standing requirements); *Md. Shall Issue, Inc. v. Hogan*, 971 F.3d 199, 212-13 (4th Cir. 2020) (same). Accordingly, we affirm the district court’s judgment, as modified to reflect a dismissal without prejudice. *See S. Walk at Broadlands Homeowner’s Ass’n, Inc. v. OpenBand at Broadlands, LLC*, 713 F.3d 175, 185 (4th Cir. 2013) (“A dismissal for lack of standing . . . must be one without prejudice, because a court that lacks jurisdiction has no power to adjudicate and dispose of a claim on the merits.”). 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.

*AFFIRMED AS MODIFIED*