

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-6657

TYRONE DEVON UTLEY,

Plaintiff - Appellant,

v.

NORTH CAROLINA POST RELEASE - PAROLE BOARD; NORTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY,

Defendants - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Raleigh. James C. Dever III, District Judge. (5:23-ct-03099-D)

Submitted: November 28, 2023

Decided: December 19, 2023

Before HARRIS and RICHARDSON, Circuit Judges, and FLOYD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Tyrone Devon Utley, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tyrone Devon Utley appeals the district court's order dismissing his 42 U.S.C. § 1983 complaint without prejudice* for failure to state a claim under 28 U.S.C. § 1915A(b)(1). We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order. *Utley v. N.C. Post Release - Parole Bd.*, No. 5:23-ct-03099-D (E.D.N.C. June 14, 2023). 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

* Although the district court dismissed the complaint without prejudice, the order is final and appealable because the court did not provide Utley leave to amend the complaint. *See Britt v. DeJoy*, 45 F.4th 790, 796 (4th Cir. 2022).