

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-7122**

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LYDON MCCANN-MCCALPINE,

Plaintiff - Appellant,

v.

PRIMECARE MEDICAL, INC.; PRIMECARE NURSE JANE DOE 1;  
PRIMECARE NURSE JANE DOE 2; PRIMECARE NURSE JANE DOE 3;  
PRIMECARE NURSE JANE DOE 4; PRIMECARE NURSE JANE DOE 5,

Defendants - Appellees.

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Appeal from the United States District Court for the District of Maryland, at Baltimore.  
George L. Russell, III, District Judge. (1:23-cv-02040-GLR)

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Submitted: April 18, 2024

Decided: April 19, 2024

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Before WILKINSON, NIEMEYER, and THACKER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Lydon McCann-McCalpine, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lydon McCann-McCalpine seeks to appeal the district court's order returning his complaint, received October 23, 2023, as duplicative of the amended complaint he filed in a case that was closed on October 17, 2023. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). We conclude that the document returning McCann-McCalpine's complaint, although docketed as a "return pleading order," is in fact an administrative letter notifying McCann-McCalpine that the district court was rejecting his attempt to file additional pleadings because his case was already closed. As such, the order returning McCann-McCalpine's complaint is neither a final order nor an appealable interlocutory or collateral order. Therefore, we dismiss this appeal for lack of jurisdiction.\* 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*

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\* Because the October 17 dismissal of the amended complaint was without prejudice, if there are substantive differences in his October 23 complaint or other circumstances would justify it, McCann-McCalpine may be able to file his complaint as a new action in the district court. On this subject we offer no opinion.