

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-6602

JAMES E. TERRY,

Plaintiff - Appellant,

versus

ROBERT AKERSON,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Jackson L. Kiser, Senior District Judge. (CA-00-151)

Submitted: July 27, 2000

Decided: August 4, 2000

Before MURNAGHAN, WILKINS, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James E. Terry, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

James E. Terry appeals the district court's order dismissing without prejudice his 42 U.S.C.A. § 1983 (West Supp. 2000) complaint.* We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Terry v. Akerson, No. CA-00-151 (W.D. Va. Apr. 11, 2000). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

* Generally, dismissals without prejudice are not appealable. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066 (4th Cir. 1993). However, since amendment to Terry's complaint could not cure the defects the district court found in his case, the district court's dismissal is a final, appealable order. See id. at 1066-67.