

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-6241

MICHAEL MCEVILY,

Plaintiff - Appellant,

versus

OFFICER KEATON; OFFICER HUMPHRIES; JANE DOE,
a/k/a Miss Sue,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Henry C. Morgan, Jr., District Judge. (CA-00-916)

Submitted: March 22, 2001

Decided: March 30, 2001

Before WILKINS, LUTTIG, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Michael McEvily, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Michael McEvily appeals from a district court order dismissing without prejudice his complaint alleging civil rights violations under 42 U.S.C.A. § 1983 (West 1994 & Supp. 2000). The court dismissed McEvily's complaint because he failed to pay his filing fee as directed or properly certify that he could not pay such a fee and sign the consent form for withdrawal of the fee in installments from his prison account. Because McEvily may proceed with this action in the district court by amending his complaint to provide the information requested by the court, his appeal is interlocutory and not subject to appellate review. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993).

Accordingly, we dismiss the appeal for lack of jurisdiction. 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.

DISMISSED