

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-2200

MICHAEL J. SINDRAM,

Plaintiff - Appellant,

versus

IRMA S. RAKER; G. R. HOVEY JOHNSON; EL AMIN;
THOMAS J. LOVE; THURMAN RHODES,

Defendants - Appellees.

No. 04-2210

MICHAEL J. SINDRAM,

Plaintiff - Appellant,

versus

IRMA S. RAKER; EL AMIN; THOMAS J. LOVE;
THURMAN RHODES; G. R. HOVEY JOHNSON,

Defendants - Appellees.

No. 04-2211

MICHAEL J. SINDRAM,

Plaintiff - Appellant,

versus

COLUMBIA UNION COLLEGE; RANDAL WISBEY; EARLENE
SIMMONS; VINCENT DUNBAR; DONNA POLK; PETER
FEENEY; DOUGLAS F. GANSLER; ROBERT MELLADO;
ODESSA SHANNON; MICHAEL DENNIS,

Defendants - Appellees.

Appeals from the United States District Court for the District of
Maryland, at Greenbelt. Peter J. Messitte, District Judge. (CA-
04-1790-PJM; CA-04-1898-PJM)

Submitted: November 22, 2004

Decided: January 18, 2005

Before WILKINSON, MICHAEL, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Michael J. Sindram, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

In these consolidated appeals, Michael J. Sindram appeals district court orders dismissing his complaint against several state court judges for failing to state a claim and dismissing without prejudice for failing to state a claim his complaint against Columbia Union College and several individuals. Sindram also appeals orders denying his motions for reconsideration filed in each case. With respect to Nos. 04-2200 and 04-2210, in which Sindram appeals the district court order dismissing his complaint against state court judges and denying his motion for reconsideration, we have reviewed the record and the district court orders and dismiss the appeals as frivolous on the reasoning of the district court. See Sindram v. Raker, No. CA-04-1790-PJM (D. Md. filed July 19, 2004; entered July 20, 2004, and September 21, 2004).

In No. 04-2211, Sindram appeals district court orders dismissing without prejudice his complaint under 42 U.S.C. § 1981 (2000) and denying his motion for reconsideration. The district court's dismissal without prejudice is not appealable. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). A dismissal without prejudice is a final order only if no amendment could cure the defects in the complaint. Id. at 1067. In ascertaining whether a dismissal without prejudice is reviewable in this court, we must determine "whether the plaintiff

could save his action by merely amending his complaint." Id. Because Sindram may cure the defect in his complaint by filing a supplemental or amended complaint in accordance with the district court's order, the dismissal order is not appealable. Accordingly, we dismiss the appeal from both orders.

We dismiss as frivolous Nos. 04-2200 and 04-2210. We dismiss No. 04-2211 under the rule announced in Domino Sugar. We deny Sindram's motion for appointment of counsel filed in No. 04-2200 and the motion to deconsolidate the cases. 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