

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-6744**

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MARQUEION HARRISON,

Plaintiff - Appellant,

v.

STATE OF NORTH CAROLINA; DEPARTMENT OF CORRECTION, Division  
of Prisons,

Defendants - Appellees.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Statesville. Graham C. Mullen,  
Senior District Judge. (5:10-cv-00043-GCM)

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Submitted: June 24, 2010

Decided: July 1, 2010

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Before DUNCAN, AGEE, and DAVIS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Marqueion Harrison, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marqueion Harrison seeks to appeal the district court's order dismissing without prejudice his complaint filed pursuant to 42 U.S.C. § 1983 (2006), for failure to comply with Rule 8 of the Federal Rules of Civil Procedure. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Harrison seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066 (4th Cir. 1993). Because Harrison could cure the defect identified by the district court by filing an amended complaint, 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