

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1255

ROBERT B. LEWIS,

Plaintiff - Appellant,

v.

DENNIS T. TAYLOR, President; TRUCK DRIVERS, DRIVER HELPERS,
TAXICAB DRIVER, GARAGE EMPLOYEE, & AIRPORT EMPLOYEES LOCAL
UNION 355,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. Benson Everett Legg, District Judge.
(1:11-cv-03460-BEL)

Submitted: June 21, 2012

Decided: July 10, 2012

Before NIEMEYER, WYNN, and DIAZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Robert B. Lewis, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert B. Lewis seeks to appeal the district court's order dismissing without prejudice Lewis's complaint for failure to allege a cognizable claim. 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 Lewis seeks to appeal is neither a final order nor an appealable interlocutory or collateral order because it is possible for Lewis to cure the pleading deficiencies in the complaint that were identified by the district court. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993) (holding that a dismissal without prejudice is not appealable unless it is clear that no amendment to the complaint "could cure the defects in the plaintiff's case" (internal quotation marks omitted)); see also Chao v. Rivendell Woods, Inc., 415 F.3d 342, 345 (4th Cir. 2005) (explaining that, under Domino Sugar, this court must "examine the appealability of a dismissal without prejudice based on the specific facts of the case in order to guard against piecemeal litigation and repetitive appeals"). 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