

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-1634

WASIM ATA BEY EX REL ERICK SEALEY, an individual,

Plaintiff - Appellant,

v.

J. W. MITCHELL, 1709 VSP, an individual; DAVID A. PATRICK,
0304 YCSO, an individual; THOMAS CHABOT, 5543 YCSO, an
individual; JASON STUMP, 4318 YCSO, an individual; DONALD
MICKET, 5583 YCSO, an individual; BYRON EVANS, 2231 YCSO,
an individual; DONNA MAW, Deputy Commonwealth Attorney, an
individual; JAMES LAMPRECHT, York Magistrate, an
individual; STEPHEN A. HUDGINS, Chief Judge, an individual;
JEFFREY SHAW, Circuit Judge, an individual; MICHAEL
SOBERICK, SR., Judge, an individual,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Newport News. Raymond A. Jackson,
District Judge. (4:15-cv-00044-RAJ-LRL)

Submitted: August 27, 2015

Decided: August 31, 2015

Before GREGORY, AGEE, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Wasim Ata Bey ex rel Erick Sealey, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Plaintiff Wasim Ata Bey ex rel Erick Sealey (Ata Bey) seeks to appeal the district court's order dismissing without prejudice his civil action under 28 U.S.C. § 1915(e)(2)(B)(ii) (2012) for failure to state a claim on which relief may be granted. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders. 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-47 (1949). Because the deficiencies identified by the district court may be remedied by the filing of an amended complaint, we conclude that the order Ata Bey seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. 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 this court and argument would not aid the decisional process.

DISMISSED