

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7614

ROBERT E. SAMPSON,

Plaintiff - Appellant,

v.

HIGHLAND COUNTY VA BOARD OF SUPERVISORS; MAYOR, City of
Monterey; T.J. DUFF, Highland County Sheriff,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Glen E. Conrad, Chief
District Judge. (7:15-cv-00465-GEC-RSB)

Submitted: February 18, 2016

Decided: June 14, 2016

Before WILKINSON, DIAZ, and FLOYD, Circuit Judges.

Dismissed and remanded by unpublished per curiam opinion.

Robert E. Sampson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert E. Sampson seeks to appeal the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (2012) complaint as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) (2012). This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Sampson 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, 1066-67 (4th Cir. 1993). Accordingly, we dismiss the appeal for lack of jurisdiction and remand the case to the district court with instructions to allow Sampson to file an amended complaint. See Goode v. Cent. Va. Legal Aid Soc'y, 807 F.3d 619, 630 (4th Cir. 2015). 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 AND REMANDED