

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1662

TORNELLO FONTAINE PIERCE EL BEY,

Plaintiff - Appellant,

v.

ROY COOPER; PAT MCCRORY; STATE OF NORTH CAROLINA; JAMES ALLEN JOINES; SHERIFF WILLIAM T. SCHATZMAN; BJ BARNES, a/k/a Eschol Edward Barnes, Jr.; NANCY VAUGHAN,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Frank D. Whitney, Chief District Judge. (3:15-cv-00539-FDW-DCK)

Submitted: October 18, 2016

Decided: October 20, 2016

Before WILKINSON, KING, and FLOYD, Circuit Judges.

Dismissed and remanded by unpublished per curiam opinion.

Tornello Fontaine Pierce El Bey, Appellant Pro Se. Grady L. Balentine, Jr., Special Deputy Attorney General, Raleigh, North Carolina; James R. Morgan, Jr., WOMBLE CARLYLE SANDRIDGE & RICE, PLLC, Winston-Salem, North Carolina; Lonnie Glenn Albright, III, FORSYTH COUNTY SHERIFF'S OFFICE, James Demarest Secor, III, James Anthony Clark, Associate General Counsel, Polly D. Sizemore, CITY OF GREENSBORO LEGAL DEPARTMENT, Greensboro, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tornello Fontaine Pierce El Bey seeks to appeal the district court's order dismissing his complaint without prejudice. 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, 545-56 (1949). We conclude that the order Pierce El Bey seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See Goode v. Cent. Va. Legal Aid Soc'y, Inc., 807 F.3d 619, 623-24, 629-30 (4th Cir. 2015). Accordingly, we dismiss the appeal for lack of jurisdiction, and remand to the district court with instructions to allow Pierce El Bey to file an amended complaint. 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