

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**No. 19-6252**

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TERRANCE PEVIE,

Plaintiff - Appellant,

v.

KEITH LYONS, Warden, Jessup Correctional Institution, in his individual and official capacity; SCOTT D. SNYDER, Maintenance Manager, in his individual and official capacity; ALLEN GANG, Chief of Security, in his individual and official capacity,

Defendants - Appellees.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt.  
Theodore D. Chuang, District Judge. (8:17-cv-01796-TDC)

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Submitted: May 16, 2019

Decided: May 21, 2019

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Before DIAZ and THACKER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed and remanded by unpublished per curiam opinion.

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Terrance Pevie, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Terrance Pevie seeks to appeal the district court's order granting summary judgment to one defendant in Pevie's 42 U.S.C. § 1983 (2012) action and dismissing some of Pevie's claims against two other defendants without prejudice. We 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). The district court identified certain deficiencies in Pevie's claims against the unserved defendants in their individual capacities. Because Pevie may be able to cure these defects by filing an amended complaint, we conclude that the order Pevie seeks to appeal is neither a final order nor an appealable interlocutory order. *See Goode v. Cent. Va. Legal Aid Soc'y, Inc.*, 807 F.3d 619, 623-24 (4th Cir. 2015); *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 Pevie to file an amended complaint. *Goode*, 807 F.3d at 630. We deny Pevie's motion for appointment of counsel. 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*