

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6208

MELVIN EARL SWANSON, SR.,

Plaintiff - Appellant,

versus

COUNTY OF PICKENS, Government; JOHN W. DEJONG,
Pickens County Public Defender,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. G. Ross Anderson, Jr., District
Judge. (CA-01-4485-13-AK)

Submitted: April 9, 2002

Decided: April 29, 2002

Before LUTTIG, WILLIAMS, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Melvin Earl Swanson, Sr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Melvin Earl Swanson, Sr., appeals the district court's order dismissing his 42 U.S.C.A. § 1983 (West Supp. 2001) complaint without prejudice. Because Swanson may refile his complaint to allege he has exhausted his state court remedies, we dismiss the appeal for lack of jurisdiction because the order is not a final, appealable order. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993).

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