

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6117

ADRIAN DOMINIC WATKINS,

Plaintiff - Appellant,

v.

BOYD BENNETT; BETTY BROWN; BECKY POPE; MARVIN POLK; G.J. BRANKER; RANDEL J. SPEER; D. SANDERS, Officer; R. TIFFANY, Officer; OFFICER BOONE; MRS. SMITH, Officer; OFFICER MITCHEAL; OFFICER MAGUM; OFFICER BROWN; OFFICER FOX; OFFICER GALLAWAY; MRS. CHEARY, Officer; MRS. SHAW, Officer; RONALD LOCKLEAR, Officer; ROY GILMORE, Officer; JUDY TAYLOR, Officer; PAULA JACOB, Officer; OFFICER GILES; SGT. CORRELL; L. CARR, Sgt.; SERGEANT ANDINO; SGT. DODA; SERGEANT JAMES; SGT. WIMBERLY; SGT. WARD; REGINA HAMPTON, Sgt.; SGT. MILLER; TRACY TYNER, Sgt.; LARRY CARTER, Sgt.; B. HOLLOWAY, Sgt.; OFFICER BACHLOR; F. STRICKLAND, Lt.; H. CLAYBURN, Lt.; M.A. JORDAN, Lt.; DONNIE R. RAYNOR, Lt.; LIEUTENANT WADDELL; LT. DELGOTTO; LT. AIKENS; R. SIGNAL, Capt.; F.S. ONEAL, Capt.; BRAD PERRITT, Capt.; CAPTAIN WILLIAMS; CAROL TORRES, Capt.; MS. LAFLUER; Z. SIMMONS; MRS. WALTON; MRS. CHAPMAN; MRS. COOPER; MARSHALL PIKE; GARY CRUTCHFIELD; J. BAKE WILLIAMS; KENNETH M. JONES; GEROTHA R. SPAIN; REGINALD E. MIDGETTE, Rev.; ROBERT L. MONTGOMERY, JR., Chaplain; CHAPLAIN WILLIAMS; CHAPLAIN WALLACE; MR. CALHOUN; M. LANE; GERRI L. LOCKLEAR; MARRIETTA BARR; CHRISTOPHER COVINGTON; ISAAC BALDWIN; LEWIS W. FERGUSON; BARBARA M. PIERCE; MRS. OWENS; MRS. CASH; JIMMY L. BINFORD; CURTIS JONES; EDWARD B. THOMAS; MITCHELL LOWRY; IRENE HARRIS; DEVATER C. POLK; HATTIE B. PIMPONG; R.D. WELLMAN; BRADFORD BANNERMAN; ANTHONY HATHAWAY, III; ALBERT THOMAS; FREDERICK HUBBARD; DANNY THOMPSON; MICHAEL EASLEY; OFFICER RAYNOR; 4-18-07 FCC BOARD; 5-9-07 FCC BOARD; 5-30 DCC BOARD; OFFICER HICKMAN; OFFICER ROBBISON; JOHN DOE #1; OFFICER MCPHAUL; OFFICER SCOTT; OFFICER BROWN; JOHN DOE #2; JOHN DOE #3; JOHN DOE #4; JOHN

DOE #5; JOHN DOE #6; JOHN DOE #7; JOHN DOE #8; JOHN DOE #9;
JOHN DOE #10; JOHN DOE #11; NURSE JANE DOE,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. James C. Dever III,
District Judge. (5:09-ct-03127-D)

Submitted: April 28, 2011

Decided: May 4, 2011

Before DAVIS, KEENAN, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Adrian Dominic Watkins, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Adrian Dominic Watkins appeals from the district court's order dismissing his 42 U.S.C. § 1983 (2006) complaint without prejudice because it failed to comply with Fed. R. Civ. P. 8(a)(2). Generally, a district court's dismissal of a complaint without prejudice is not appealable. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993) (holding that a "plaintiff may not appeal the dismissal of his complaint without prejudice unless the grounds for dismissal clearly indicate that no amendment [in the complaint] could cure the defects in the plaintiff's case") (alteration in original) (internal quotation marks omitted). In this case, Watkins would be able to save his action by amending his complaint to comply with the district court's order. Therefore, the district court's dismissal of Watkins' complaint without prejudice is not an appealable final order. 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 the court and argument would not aid the decisional process.

DISMISSED