

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-1469**

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MICHAEL E. DE BLASIS,

Plaintiff - Appellant,

v.

SAMUEL J. DEBLASIS, II,

Defendant - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Baltimore.  
Julie R. Rubin, District Judge. (1:22-cv-00771-JRR)

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Submitted: August 29, 2023

Decided: August 31, 2023

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Before KING, AGEE, and BENJAMIN, Circuit Judges.

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Affirmed as modified by unpublished per curiam opinion.

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Michael E. De Blasis, Appellant Pro Se. Samuel J. DeBlasis, II, DECARO, DORAN,  
SICILIANO, GALLAGHER & DEBLASIS, LLP, Bowie, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael E. De Blasis appeals the district court’s order granting Defendant’s motion to dismiss De Blasis’ complaint for lack of subject matter jurisdiction as barred by the *Rooker-Feldman*\* doctrine. We have reviewed the record and discern no reversible error. *See Hulsey v. Cisa*, 947 F.3d 246, 249 (4th Cir. 2020) (stating standard of review). However, a dismissal for lack of subject matter jurisdiction should be one without prejudice “because a court that lacks jurisdiction has no power to adjudicate and dispose of a claim on the merits.” *Goldman v. Brink*, 41 F.4th 366, 369 (4th Cir. 2022) (internal quotation marks omitted). Accordingly, we modify the district court’s order to reflect that the dismissal of De Blasis’ civil action is without prejudice and affirm the order as modified. 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.

*AFFIRMED AS MODIFIED*

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\* *D.C. Ct. of App. v. Feldman*, 460 U.S. 462 (1983); *Rooker v. Fid. Tr. Co.*, 263 U.S. 413 (1923).