

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-1655

EUGENE HARRIS, II; TENEKIA L. HARRIS; ARTHUR OF THE FAMILY
WITTENBERG TRUSTEE,

Plaintiffs - Appellants,

v.

FREEDOM MORTGAGE CORPORATION; STAN MOSKOWITZ,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at
Alexandria. Michael Stefan Nachmanoff, District Judge. (1:24-cv-00471-MSN-LRV)

Submitted: March 19, 2026

Decided: May 15, 2026

Before KING, THACKER, and BENJAMIN, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Eugene Harris, II, Tenekia L. Harris, Aruthur of the family Wittenberg Trustee, Appellants
Pro Se. David Tony Long, Jr., BRADLEY ARANT BOULT CUMMINGS LLP,
Washington, D.C., for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Appellants appeal the district court's order dismissing with prejudice their civil complaint for lack of subject matter jurisdiction. We have reviewed the record and find no reversible error. However, we conclude that the complaint should have been dismissed without prejudice. *See S. Walk at Broadlands Homeowner's Ass'n, Inc. v. OpenBand at Broadlands, LLC*, 713 F.3d 175, 185 (4th Cir. 2013) (explaining that a dismissal based on a "defect in subject matter jurisdiction . . . must be one without prejudice, because a court that lacks jurisdiction has no power to adjudicate and dispose of a claim on the merits").

Accordingly, we affirm the district court's order as modified to reflect a dismissal without prejudice. *Harris v. Freedom Mortg. Corp.*, No. 1:24-cv-00471-MSN-LRV (E.D. Va. June 21, 2024). 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