

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-7134

CARLOS R. MAYBERRY,

Plaintiff - Appellant,

v.

CHARVETTE HENSON-BECKETT, Assistant Warden; PENNY L. CULLY,
Librarian; ROBERT KOPPEL, Warden; GARY MAYBERRY; CARLTON
APPLEWHITE; MARTIN O'MALLEY; TECHNOLOGY DEVELOPMENT
CORPORATION; MARY L. LIVERS,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. Richard D. Bennett, District Judge.
(1:08-cv-01113-RDB)

Submitted: October 21, 2008

Decided: October 29, 2008

Before MICHAEL, TRAXLER, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Carlos R. Mayberry, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Carlos R. Mayberry appeals the district court's order dismissing without prejudice Mayberry's complaint filed pursuant to 42 U.S.C. § 1983 (2000). Because Mayberry may resubmit his complaint as amended to cure the defects identified by the district court, the dismissal order is not appealable. See Chao v. Rivendell Woods, Inc., 415 F.3d 342, 345 (4th Cir. 2005); Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Accordingly, we dismiss the appeal. Mayberry's motions for extension and for injunctive relief are denied. 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