

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-2093

GLENN R. TOWERY,

Plaintiff - Appellant,

v.

TERENCE G. EMMERT, Acting Secretary of the Navy,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Leonie M. Brinkema, District Judge. (1:24-cv-01584-LMB-WEF)

Submitted: January 23, 2025

Decided: January 29, 2025

Before WILKINSON, WYNN, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Glenn R. Towery, Appellant Pro Se. Peter B. Baumhart, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Glenn R. Towery seeks to appeal the district court’s order remanding his application to the Board for Correction of Naval Records for further administrative proceedings. Terence G. Emmert (“Appellee”) moves to dismiss the appeal for lack of jurisdiction. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). The order Towery seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. *See Dubon v. Jaddou*, 109 F.4th 307, 311 (4th Cir. 2024) (recognizing “that a district court decision remanding a case to an agency for further consideration is interlocutory, not a ‘final’ order generally appealable under § 1291”); *see id.* at 312 (stating that we “have uniformly concluded that a district court order remanding a case to an agency for further proceedings typically does not qualify as an appealable collateral order”).

Accordingly, we grant Appellee’s motion to dismiss and 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 this court and argument would not aid the decisional process.

DISMISSED