

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-2191

NAJIA RAHMANI,

Plaintiff - Appellant,

v.

AVIANCA AIRLINES HEADQUARTERS,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Michael Stefan Nachmanoff, District Judge. (1:24-cv-01762-MSN-WEF)

Submitted: March 27, 2025

Decided: March 31, 2025

Before THACKER and BERNER, Circuit Judges, and KEENAN, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Najia Rahmani, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Najia Rahmani seeks to appeal the district court's order dismissing without prejudice her civil complaint under 28 U.S.C. § 1915(e)(2)(B). The court's order afforded Rahmani 14 days to file an amended complaint.

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, 545-47 (1949). “[A]n order that dismisses a complaint with leave to amend is not a final decision because it means that the district court is not finished with the case.” *Britt v. DeJoy*, 45 F.4th 790, 793 (4th Cir. 2022) (en banc) (citing *Jung v. K. & D. Min. Co.*, 356 U.S. 335, 336-37 (1958)). If Rahmani wishes to appeal from this order, she must first “waive her right to amend the complaint by requesting that the district court take further action to finalize its decision,” *Britt*, 45 F.4th at 796 (citing *Jung*, 356 U.S. at 337), and she “must obtain an additional, final decision from the district court finalizing its judgment,” *id.* at 797. Because Rahmani has not done so, the order she seeks to appeal is neither a final order nor an appealable interlocutory or collateral order.

Accordingly, we deny Rahmani's motion for default judgment and dismiss this 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