

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6739

AARON WAYNE PELLUM,

Plaintiff - Appellant,

v.

STAN BURTT, Warden of Lieber Correctional Institution; NFN BODISON, Associate Warden; NFN THOMPSON, Associate Warden; NFN NETTLES, Major; NFN ELKA, Lieutenant; G. ANTLEY, Investigator at Lieber Correctional Institution; NFN NUNLEY, Captain; NFN SMITH, Doctor, all sued in their individual and official capacity; L. CARRINGTON, Institutional Grievance Coordinator at Lieber Correctional Institution, sued in her individual capacity and official capacity,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Beaufort. Joseph F. Anderson, Jr., Chief District Judge. (9:05-cv-03339-JFA)

Submitted: September 11, 2008

Decided: October 1, 2008

Before WILKINSON and NIEMEYER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Aaron Wayne Pellum, Appellant Pro Se. Eugene P. Corrigan, III, Jacqueline Gottfried Grau, GRIMBALL & CABANISS, Charleston, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Aaron Wayne Pellum seeks to appeal the district court's order accepting in part and rejecting in part the magistrate judge's recommendation and denying his motion for summary judgment and denying in part and granting in part the Defendants' motion for summary judgment in this 42 U.S.C. § 1983 (2000) action. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2000), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2000); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order Pellum seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we grant the Appellees' motion and dismiss the appeal for lack of jurisdiction. We deny Pellum's motions for appointment of counsel, a transcript at government expense, to stay the proceedings, and for oral argument. 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