

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1246

DAVID C. CORSON,

Plaintiff - Appellant,

v.

PAUL A. MATTOX, JR.; ROGER PROPST, Superintendent of Schools
Calhoun County Board of Education,

Defendants - Appellees.

Appeal from the United States District Court for the Northern
District of West Virginia, at Clarksburg. Irene M. Keeley,
District Judge. (1:09-cv-00065-IMK-JSK)

Submitted: June 1, 2010

Decided: June 10, 2010

Before GREGORY, SHEDD, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

David C. Corson, Appellant Pro Se. April Joy Wheeler, David Lee
Wyant, BAILEY & WYANT, PLLC, Wheeling, West Virginia; Jeffery
Dale Taylor, ROSE PADDEN & PETTY, LC, Fairmont, West Virginia,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David C. Corson filed a civil complaint asserting claims arising under the Rehabilitation Act of 1973 and the Americans with Disabilities Act. The matter was referred to a magistrate judge, pursuant to 28 U.S.C. § 636 (2006), who recommended denying relief and notified Corson of his right to file objections to the report and recommendation. Instead, Corson filed a notice of appeal. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Corson seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we 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 the court and argument would not aid the decisional process.

DISMISSED