

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-7229

MELVIN C. DODSON,

Movant - Appellant,

and

LARRY E. PATTERSON; ELMO A. REID, JR.; JAMES R. CLARK,

Plaintiffs,

v.

TIMOTHY M. KAINED, Governor of the State of Virginia, sued in his official and individual capacity; JOHN W. MARSHALL, Secretary of Public Safety of Virginia, sued in his official and individual capacity; HELEN F. FAHEY, Chairperson of the Virginia Parole Board, sued in her official and individual capacity,

Defendants,

v.

DEREK T. FRITZINGER,

Movant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, Chief District Judge. (3:08-cv-00490-JRS)

Submitted: December 21, 2010

Decided: January 4, 2011

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

Dismissed by unpublished per curiam opinion.

Melvin C. Dodson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Melvin C. Dodson seeks to appeal the district court's order denying a Fed. R. Civ. P. 60(b) motion for reconsideration of its prior order adopting the magistrate judge's recommendation and dismissing a 42 U.S.C. § 1983 (2006) civil rights action. However, because Dodson was not a party to or an intervenor in the § 1983 action,^{*} he lacks standing to challenge this order on appeal. See Davis v. Scott, 176 F.3d 805, 807-08 (4th Cir. 1999). Accordingly, we 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 the court and argument would not aid the decisional process.

DISMISSED

^{*} Dodson's motion to join the lawsuit was denied as moot on March 11, 2010.