

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-1909

BETTYANN L. TALLEY,

Plaintiff - Appellee,

versus

NANCY D. JONAS,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Solomon Blatt, Jr., Senior District Judge. (CA-00-612-9-8)

Submitted: October 12, 2000

Decided: October 19, 2000

Before WILLIAMS and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Nancy D. Jonas, Appellant Pro Se. Bettyann L. Talley, Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Nancy D. Jonas appeals the district court's order remanding this case to state court. We have reviewed the record and the district court's opinion accepting the magistrate judge's recommendation and find that because the district court remanded this case for lack of subject matter jurisdiction, its order is unreviewable under 28 U.S.C. § 1447(d) (1994). See Thermtron Prods. v. Hermansdorfer, 423 U.S. 336, 343-46 (1976) (holding limited on other grounds by Quackenbush v. Allstate Ins. Co., 517 U.S. 706, 711-15 (1996)); Borneman v. United States, 213 F.3d 819, 824-26 (4th Cir. 2000). Accordingly, we dismiss the appeal. We deny Jonas' motion to recall the remittitur and set aside a state court order. 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