

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-6329

EDWARD HAROLD SAUNDERS, JR.,

Plaintiff - Appellant,

versus

MURIEL K. OFFERMAN, Secretary of Department of
Revenue,

Defendant - Appellee,

and

STATE OF NORTH CAROLINA; RICHARD W., in his
individual and official capacity as an agent
of the state of North Carolina; JANICE
FAULKNER; ANGELA, Controlled Substance En-
forcement Officer, in her individual and offi-
cial capacity as an agent of the state of
North Carolina,

Defendants.

Appeal from the United States District Court for the Eastern Dis-
trict of North Carolina, at Raleigh. W. Earl Britt, Senior Dis-
trict Judge. (CA-99-47-5-BR)

Submitted: May 25, 2000

Decided: June 6, 2000

Before WILLIAMS, MICHAEL, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Edward Harold Saunders, Jr., Appellant Pro Se. Christopher Edward Allen, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Edward Harold Saunders, Jr., appeals the district court's order accepting the magistrate judge's recommendation to grant Defendants' motion to dismiss and to allow the claim for prospective injunctive relief under 42 U.S.C.A. § 1983 (West Supp. 1999), to proceed. We dismiss the appeal for lack of jurisdiction because the order is not appealable. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (1994), and certain interlocutory and collateral orders. See 28 U.S.C. § 1292 (1994); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order here appealed is neither a final order nor an appealable interlocutory or collateral order.

We dismiss the appeal as interlocutory. 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