

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-6554**

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BILLY JOE PELFREY,

Plaintiff - Appellant,

versus

DALLAN FIELDS, Sheriff; DAN FERGUSON, Jail  
Administrator; DONALD STEPP, Major; SERGEANT  
CARTER; TOMMY DAWSON, Corporal; EDDIE  
HUTINSON, C.O.; J. R. LOCKHART, C.O.; MARGO  
ATKINS, C.O.; BERRY LEWIS, C.O.; MIKE ZOLLMAN,  
C.O.; JOHN DOE, I (C.O. Pete); JOHN DOE, II  
(C.O. Shane),

Defendants - Appellees.

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Appeal from the United States District Court for the Southern Dis-  
trict of West Virginia, at Huntington. Robert C. Chambers, District  
Judge. (CA-99-693-3)

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Submitted: July 27, 2000

Decided: August 4, 2000

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Before MURNAGHAN, WILKINS, and KING, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Billy Joe Pelfrey, Appellant Pro Se. Stephen Mark Fowler, PULLIN,  
KNOPF, FOWLER & FLANAGAN, Charleston, West Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Billy Joe Pelfrey appeals a district court order denying his objections to a magistrate judge's order denying his motion for appointment of counsel in his 42 U.S.C.A. § 1983 (West Supp. 2000) action. 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, 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