

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-7274**

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BERNARD MCFADDEN,

Plaintiff - Appellant,

and

KIMBLE CAMPBELL; MICHAEL JEROME PARKER; JOSEPH  
SYLVESTER; ARNOLD SINGLETON; RONEY HAMMION,

Plaintiffs,

versus

BENJAMIN MONTGOMERY, Deputy Director of South  
Carolina Department of Corrections; DOUG  
CATOE, Director of South Carolina Department  
of Corrections; ROBERT PLEMONS, Dairy Program  
Assistant; JOHN H. CARMICHAEL, Warden; ANTHONY  
J. PADULA, Warden; MARK A. LAWHORN, Captain;  
RANDOLPH DUBOXE, Institutional Grievance Co-  
ordinator; MARY LOWDER, Counsel Substitute,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Columbia. Margaret B. Seymour, District Judge.  
(CA-00-201-3-24BC)

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Submitted: May 17, 2001

Decided: May 22, 2001

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Before WIDENER, NIEMEYER, and MICHAEL, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Bernard McFadden, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Bernard McFadden appeals the district court's order dismissing in part his 42 U.S.C.A. § 1983 (West Supp. 2000) complaint. 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