

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-7309

ANTONIO M. WALLER,

Plaintiff - Appellant,

versus

CATHERINE PAGE, Psychiatrist, Red Onion State
Prison; P. RASNICK, Nurse; LIEUTENANT YOUNCE;
SERGEANT FLANARY; SERGEANT FOWLER; THOMPSON,
Prison Guard,

Defendants - Appellees,

and

FRED SCHILLING, Director of Health Services;
CORRECTIONAL MEDICAL SERVICES; JOHN DOE,

Defendants.

Appeal from the United States District Court for the Western Dis-
trict of Virginia, at Roanoke. Samuel G. Wilson, Chief District
Judge. (CA-99-762-7)

Submitted: April 12, 2001

Decided: April 17, 2001

Before NIEMEYER, WILLIAMS, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Antonio M. Waller, Appellant Pro Se. David Ernest Boelzner, Heather Marie Kofron, WRIGHT, ROBINSON, OSTHIMER & TATUM, Richmond, Virginia; Mark Ralph Davis, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Antonio M. Waller appeals the district court's order granting summary judgment to some of the Defendants 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