

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-7521**

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OLUDARE OGUNDE,

Plaintiff - Appellant,

versus

KELLY HARRISON, Law Library Supervisor; M. A. SHUPE, Operations Officer, Brunswick Correctional Center; J. PERUTELLI, Correctional Officer; DANIEL BRAXTON; S. V. PRUETT, Warden; CAPTAIN FARMER, Captain at Dillwyn Correctional Center; SERGEANT JACKSON; CAPTAIN CALL, Captain at Buckingham Correctional Center; LEE RANDOLPH HARRISON; ELIZABETH TAYLOR CARTER; D. F. MOSLEY, Lieutenant,

Defendants - Appellees.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Samuel G. Wilson, Chief District Judge. (CA-00-15-7)

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Submitted: March 22, 2001

Decided: March 28, 2001

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Before WILKINS, LUTTIG, and MICHAEL, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Oludare Ogunde, Appellant Pro Se. William W. Muse, Assistant Attorney General, Richmond, Virginia; Lee Randolph Harrison, Amelia, Virginia; Carlene Booth Johnson, PERRY & WINDELS, Dillwyn, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Oludare Ogunde appeals the district court's order granting summary judgment in favor of a number of defendants, dismissing most of Ogunde's claims in this civil rights action, but declining to dismiss two of Ogunde's claims. 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