

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-2156

LEROY THURSTON,

Plaintiff - Appellant,

versus

LOUISA COUNTY PUBLIC SCHOOLS,

Defendant - Appellee.

No. 01-2157

LEROY THURSTON,

Plaintiff - Appellant,

versus

UNITED PARCEL SERVICE; ROGER COLLINS, Assis-
tant Superintendent of Louisa County Schools,

Defendants - Appellees.

Appeals from the United States District Court for the Western
District of Virginia, at Charlottesville. Norman K. Moon, District
Judge. (CA-01-84-3, CA-01-85-3)

Submitted: November 8, 2001

Decided: November 15, 2001

Before WILKINS, MICHAEL, and KING, Circuit Judges.

No. 01-2156 affirmed and No. 01-2157 dismissed by unpublished per curiam opinion.

Leroy Thurston, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

In these consolidated cases, Leroy Thurston appeals from the district court's order dismissing without prejudice for failure to state a claim of an action brought against a former employer (No. 01-2156). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Thurston v. Louisa Cnty. Public Sch., No. CA-01-84-3 (W.D. Va. filed Aug. 27, 2001; entered Aug. 28, 2001). 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.

In No. 01-2157, Thurston appeals from the district court's order dismissing without prejudice his claims as to Defendant Collins for failure to state a claim, but allowing the action to proceed as to the Defendant United Parcel Service (No. 01-2157). 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 this 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.

No. 01-2156 - AFFIRMED

No. 01-2157 - DISMISSED