

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-7148

QUENTIN MCLEAN,

Petitioner - Appellant,

versus

RONALD J. ANGELONE, Director of the Virginia
Department of Corrections,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern Dis-
trict of Virginia, at Norfolk. F. B. Stillman, Magistrate Judge.
(CA-00-954-2)

Submitted: October 31, 2001

Decided: December 21, 2001

Before MICHAEL, TRAXLER, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Quentin McLean, Appellant Pro Se. Richard Bain Smith, Assistant
Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Quentin McLean appeals the report and recommendation of the magistrate judge on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2001). We dismiss the appeal for lack of jurisdiction. 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 report and recommendation from which McLean appeals does not constitute an order over which this court may exercise jurisdiction. We therefore deny a certificate of appealability and dismiss the appeal. McLean's motions for appointment of counsel, to remand the case, to stay the case, and for general relief are denied. 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