

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-7561**

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JOSEPH M. LYNCH,

Plaintiff - Appellant,

versus

K.W. DRODDY, Lieutenant Deputy; WITTHAM,  
Deputy Sargeant; PHAYME, Deputy; DEPUTY KEENE;  
DEPUTY JOYCE; THOMPkins, Deputy Sargeant;  
DEPUTY SINC,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Richmond. Richard L. Williams, Senior  
District Judge. (CA-00-394-3)

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Submitted: February 12, 2002

Decided: March 4, 2002

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Before MICHAEL, TRAXLER, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Joseph M. Lynch, Appellant Pro Se. Jacqueline Guess Epps, Michael  
Robert Ward, MORRIS & MORRIS, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Joseph M. Lynch appeals the district court's order dismissing two Defendants from this action under 42 U.S.C. § 1983 (1994) without prejudice. 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 accordingly deny Lynch's motion for a transcript at government expense and 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