

UNPUBLISHED

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

LORIA ANN PATTERSON,  
*Plaintiff-Appellant,*

v.

THE AMERICAN KENNEL CLUB, a/k/a  
American Kennel Club,  
Incorporated,

*Defendant-Appellee.*

No. 02-1773

LORIA ANN PATTERSON,  
*Plaintiff-Appellant,*

v.

THE AMERICAN KENNEL CLUB, a/k/a  
American Kennel Club,  
Incorporated,

*Defendant-Appellee.*

No. 02-1774

LORIA ANN PATTERSON,  
*Plaintiff-Appellant,*

v.

THE AMERICAN KENNEL CLUB, a/k/a  
American Kennel Club,  
Incorporated,

*Defendant-Appellee.*

No. 02-1922

LORIA ANN PATTERSON,  
*Plaintiff-Appellant,*

v.

THE AMERICAN KENNEL CLUB, a/k/a  
American Kennel Club,  
Incorporated,

*Defendant-Appellee.*

No. 02-2034

Appeals from the United States District Court  
for the Eastern District of North Carolina, at Raleigh.

W. Earl Britt, Senior District Judge;  
William A. Webb, Magistrate Judge.  
(CA-01-20-5-BR)

Submitted: November 22, 2002

Decided: December 17, 2002

Before WILKINS, MOTZ, and TRAXLER, Circuit Judges.

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Nos. 02-1773, 02-1774, and 02-2034 affirmed, and No. 02-1922 dis-  
missed by unpublished per curiam opinion.

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**COUNSEL**

Loria Ann Patterson, Appellant Pro Se. Charles Matthew Keen, Sheri  
Lea Roberson, OGLETREE, DEAKINS, NASH, SMOAK & STEW-  
ART, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

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**OPINION**

## PER CURIAM:

Loria Ann Patterson appeals the magistrate judge's orders granting Defendant's motion to compel discovery (No. 02-1773), issuing a pretrial scheduling order (No. 02-2034), and recommending that the district court grant Defendant's motion for sanctions under Fed. R. Civ. P. 37, and dismiss Patterson's Equal Pay Act claim (No. 02-1922). Patterson also appeals the district court's order extending the discovery deadline (No. 02-1774). We have reviewed the record and find no reversible error in the district court's and magistrate judge's discovery decisions and pretrial order. Accordingly, we affirm the orders in Appeal Nos. 02-1773, 02-1774, and 02-2034 for the reasons stated by the district court and magistrate judge.\* *See Patterson v. Am. Kennel Club*, No. CA-01-20-5-BR (E.D.N.C. June 7, 2002; filed June 10, 2002 & entered June 11, 2002; Aug. 27, 2002).

With regard to Patterson's appeal of the magistrate judge's recommendation (No. 02-1922), we dismiss the appeal for lack of jurisdiction. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2000), and certain interlocutory and collateral orders. 28 U.S.C. § 1292 (2000); Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 546-47 (1949). Absent both designation by the district court and consent of the parties, *see* 28 U.S.C. § 636(c) (2000), a magistrate judge's recommendation is not a final appealable decision under 28 U.S.C. § 1291. *See Haney v. Addison*, 175 F.3d 1217, 1219 (10th Cir. 1999). Because the magistrate judge in this case did not exercise jurisdiction upon consent of the parties, this court is without jurisdiction to consider Patterson's appeal in No. 02-1922. We therefore dismiss that appeal.

We grant Patterson's motion to amend her informal brief and dispense with oral argument because the facts and legal contentions are

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\*Although Patterson's notices of appeal were interlocutory when filed, the district court's entry of judgment prior to our consideration of the appeals gives the court jurisdiction under the doctrine of cumulative finality. *See Equip. Fin. Group v. Traverse Computer Brokers*, 973 F.2d 345, 347 (4th Cir. 1992).

adequately presented in the materials before the court and argument would not aid the decisional process.

Nos. 02-1773/1774/2034 — *AFFIRMED*

No. 02-1922 — *DISMISSED*