

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7130

JAMES E. ELLISON,

Plaintiff - Appellant,

and

WOODY D. ALEXANDER; BASIL AKBAR; SCOTT ATKINSON; JAMES K. AUSTIN; HENRY BAKER; ROBERT BARKOOT; RICHARD E. BLACKBURN; MARTIN BOLICK; ELMORE BRAXTON; JOHN P. BROWN; ARIMATIA A. BUGGS; JOSEPH BYRD; RUSSELL CAIN; BARTON CORNELIUS; SHANGO DAMBALLAH; ALLEN DEROIN; STEVE H. DOYLE; EDWARD A. DUELLEY; ALLEN FELLERS; BENJAMIN FOSTER; ANTONIO GANTT; SHANNON GURLEY; HERBERT HIGHTOWER; JAMES E. HILL; STEVEN HIPPENSTELL; JESSE HOLLAND; ROBERT HORTON; SAMUEL JACKSON; WILLIE JOHNSON; ALONZO KING, JR.; FRANK LANEY; JAMES T. LEE; RODERICK MCRAE; GERALD D. MEYERS; MICHAEL F. MILLER; MEKEIL MITCHELL; HAROLD G. MOSS; GARY MOFATT; JAMES R. ODOM; RICHARD CLAUDE NODINE; WILSON PALACIO; JUSTIN W. PORTER; JEROME PRIMAS; JOHNNY REGISTER; PERNELL RILEY; HERBERT RUTLEDGE; CLEVELAND SANDERS; DEVON SCOTT; TONY SHULER; THOMAS THOMPSON; JIMMY TODD; RICHARD R. VALENTI; JACKIE WILLIAMS; WILLIE WOOD; DAMON WILSON; JAMES ADAM WRIGHT; DANIEL WRIGHT; JAMES O. YORK; LESTER YOUNG, JR.; JAMES EDWARDS; HARRY PLYER; DARRELL PRUITT; JAMES FURTICK; SHERMAN DRAKEFORD; THOMAS HARRISON; JAMES F. SCHNEIDER; HERVEY BECKHAM; EUGENE CARTER; JOHANTHAN CHAFFEE; BRIAN COSTNER; DONALD E. GRIFFIN; JOSEPH GRIZZLE; RAY KILLIAN; ROBERT STEVENSON; LWON WOODFORD; MATTHEW FLOWERS; DONALD H. HALLOCK; LEWIS HENDRICK; DAVID CHARLES HILL; JERRY BRIDWELL MCWEE; MITCHELL SIM; JOHN RAY; JACK

SIMPSON; EDDIE R. SMITH; SANDRA J. BYARS;
SHARON L. LIBUTTI; TONYA BYARS; FRANK JEFFERS;
LARRY TODD; GARY COLLIER; JOSEPH W. GRANT;
DANIEL HILL; JOSHUA K. CRAMER; DAVID GIBSON;
DONNIE GIBSON; BENJAMIN BANNISTER; BILLY JOE
CARTRETTE; RICHARD MAYSON; DAVID ELLISON;
HARVEY JONES; MORRIS W. HALL; NORMAN STARNES,

Plaintiffs,

versus

STATE OF SOUTH CAROLINA; SOUTH CAROLINA
GENERAL ASSEMBLY; ATTY GENL OF SC; SOUTH
CAROLINA DEPARTMENT OF CORRECTIONS; SOUTH
CAROLINA DEPARTMENT OF PROBATION, PAROLE AND
PARDON SERVICES; JOHN DOE; JANE DOE,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Charleston. David C. Norton, District Judge.
(CA-02-248-9-18GB)

Submitted: November 7, 2002 Decided: November 14, 2002

Before WILKINS and LUTTIG, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed in part and dismissed in part by unpublished per curiam
opinion.

James E. Ellison, Appellant Pro Se. Andrew Frederick Lindemann,
DAVIDSON, MORRISON & LINDEMANN, P.A., Columbia, South Carolina, for
Appellees.

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

PER CURIAM:

James E. Ellison seeks to appeal the district court's order denying his motion to alter, amend, and vacate its prior order associated with Ellison's 42 U.S.C. § 1983 (2000) complaint. The district court's prior order resolved several pre-judgment motions adversely to Ellison, including his motion for preliminary injunctive relief.

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). Although the district court's order here appealed is not a final order as to the remainder of Ellison's claims, the denial of preliminary injunctive relief is an appealable interlocutory order. MicroStrategy Inc. v. Motorola, Inc., 245 F.3d 335, 339 (4th Cir. 2001).

Finding no abuse of discretion, we affirm the denial of Ellison's motion for preliminary injunctive relief. Id. (citing standard of review). We further dismiss the remainder of 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.

AFFIRMED IN PART; DISMISSED IN PART