

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7977

STANLEY MARK BALLENGER,

Plaintiff - Appellant,

versus

JOHN BARKLEY, SCDC Inmate Service Coordinator,

Defendant - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Columbia. David C. Norton, District Judge. (CA-03-3333-6-18K)

Submitted: April 29, 2004

Decided: May 4, 2004

Before LUTTIG, WILLIAMS, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Stanley Mark Ballenger, Appellant Pro Se. David Michael Tatarsky, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Stanley M. Ballenger seeks to appeal the magistrate judge's order denying his motion for appointed counsel. 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 (1949). The order Ballenger seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss the appeal for lack of jurisdiction. 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