

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1892

CHOICE HOTELS INTERNATIONAL, INCORPORATED, a
Delaware corporation,

Plaintiff - Appellee,

versus

PATRICK BENNETT, as general partner of Bennett
Financial Associates; BENNETT FINANCIAL
ASSOCIATES, a New York general partnership,

Defendant & Third Party Plaintiff - Appellants,

and

SWEN K. BENNETT; COMFORT ASSOCIATES,
INCORPORATED,

Defendants,

versus

MIDSTATE RACEWAY, INCORPORATED; JOHN J.
SIGNORELLI; DOMINIC GIAMBONA,

Third Party Defendants.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Deborah K. Chasanow, District Judge. (CA-
01-1457-8-DKC)

Submitted: December 9, 2004

Decided: December 14, 2004

Before NIEMEYER, WILLIAMS, and TRAXLER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Patrick Bennett, Appellant Pro Se. James C. Healy, Silver Spring, Maryland, for Appellee. William Willis Carrier, III, Ann Marie Grillo, TYDINGS & ROSENBERG, Baltimore, Maryland, for Defendants.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Patrick Bennett and Bennett Financial Associates seek to appeal the district court's orders granting summary judgment to the Plaintiff in its civil action and denying Bennett's motion to alter or amend judgment. 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). Because the orders adjudicated fewer than all claims against all parties, they are neither final orders nor appealable interlocutory or collateral orders. Accordingly, we grant Appellee's motion to dismiss the appeal as interlocutory, deny as moot Appellee's motion to strike Bennett's reply brief, and 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