

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-6058

WILLIE HINES, JR.,

Plaintiff - Appellant,

and

DAVID D. SMITH; KEDRIC LAMAR WHITMORE,

Plaintiffs,

versus

JON E. OZMINT,

Defendant - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Greenville. G. Ross Anderson, Jr., District Judge. (CA-03-3580-6-13AK; CA-03-3334-6-13AK; CA-03-3579-6-13AK)

Submitted: May 13, 2004

Decided: May 18, 2004

Before WILKINSON, MOTZ, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Willie Hines, Jr., Appellant Pro Se. Steven Michael Pruitt, MCDONALD, PATRICK, TINSLEY, BAGGETT & POSTON, Greenwood, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Willie Hines, Jr., seeks to appeal the district court's order determining that his 42 U.S.C. § 1983 (2000) action, which he filed with three other inmates, was not appropriate for class certification and severing the action into four separate lawsuits. He also seeks to appeal a subsequent scheduling order. 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 orders Hines seeks to appeal are neither final orders nor appealable interlocutory or collateral orders. 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