

Rehearing granted, March 24, 2006

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-6648

FREDERICK GREEN,

Plaintiff - Appellant,

versus

JONATHAN E. OZMINT, Director of SCDC; GEORGE HAGAN, Warden of Allendale Correctional Institution; LAVERNE COHEN, Associate Warden of Special Management Unit (SMU); ANN HALLMAN, Institutional Grievance Coordinator at Allendale Correctional Institution; SAMUEL KEARSE, Lieutenant and SMU Supervisor at Allendale Correctional Institution; OTHER UNKNOWN AGENCY OFFICIALS,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Cameron McGowan Currie, District Judge. (CA-04-22074-2)

Submitted: October 31, 2005

Decided: November 29, 2005

Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Frederick Green, 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Unpublished opinions are not binding precedent in this circuit.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:

Frederick Green seeks to appeal the district court's order adopting the magistrate judge's report and recommendation and denying his motion for a temporary restraining 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 order Green seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See Office of Pers. Mgmt. v. Am. Fed'n of Gov't Employees, 473 U.S. 1301, 1303-04 (1985); Drudge v. McKernon, 482 F.2d 1375, 1376 (4th Cir. 1973). Accordingly, we deny Green's motion to expedite the appeal, and 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