

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1832

JAMES M. TENNANT; CHARLES R. RICHARDS,

Plaintiffs - Appellants,

versus

HORRY TELEPHONE COOPERATIVE, INCORPORATED, a telephone and cable company; HTC COMMUNICATIONS, INCORPORATED, a communications company; SOUTHEASTERN PUBLISHING COMPANY, INCORPORATED, owner and publisher of the Coastal Observer,

Defendants - Appellees,

and

GEORGETOWN COUNTY, a division of the State of South Carolina; THOMAS EDWARDS, JR., in his individual and official capacity as County Administrator for Georgetown County; JACK M. SCOVILLE, JR., in his individual and official capacity as County Attorney for Georgetown County; EDSEL HEMINGWAY; TOM SWATZEL; JOHNNY MORANT; DAVID HOOD; HELEN RUDOLPH; and THOMAS EARL DRAYTON, in their individual and official capacities as members of the County Council of Georgetown County; RONALD CHARLTON, in his individual and official capacity as member of the County Council of Georgetown County and his capacity as an owner and officer of Southern Cable Communications, Inc., and Southern Coastal Cable, L.L.C.; SOUTHERN CABLE COMMUNICATIONS, INCORPORATED, a cable company; SOUTHERN COASTAL CABLE LLC, a cable company; CITY OF GEORGETOWN, a municipal entity; L BOYD JOHNSON, in his individual and official

capacity as City Administrator for the City of Georgetown; GEORGETOWN COUNTY SCHOOL DISTRICT, a school district; RANDY DOZIER, in his individual and official capacity as Deputy Superintendent of the Georgetown County School District; YVONNE CHANDLER, each in her individual and official capacity as an official of the Georgetown County School District; SCOTT EVERITT, an employee of Horry Telephone Cooperative, Inc.; BILLY HUGHES, an employee of Horry Telephone Cooperative, Inc.; AAC CABLE COMMUNICATIONS FL-VA, LLC, a cable company; DOUG JONES, an employee of AAC Cable Communications FL-VA, LLC, a cable company; TIME WARNER CABLE, a cable company; MARY ANNE JACOBS, an official of Time Warner Cable; BUD TIBSHRANY, an official of Time Warner Cable; WAYNE ELLIS, senior pastor for Screven Baptist Church; SCREVEN BAPTIST CHURCH, a church located in Georgetown, S.C.,

Defendants.

Appeal from the United States District Court for the District of South Carolina, at Charleston. C. Weston Houck, Senior District Judge. (2:04-cv-00093-CWH)

Submitted: January 17, 2007

Decided: March 6, 2007

Before WILKINSON, MICHAEL, and TRAXLER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

James M. Tennant and Charles R. Richards, Appellants Pro Se. Dominic Allen Starr, NELSON, MULLINS, RILEY & SCARBOROUGH, Myrtle Beach, South Carolina; Jerry Jay Bender, BAKER, RAVENEL & BENDER, Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James M. Tennant and Charles R. Richards ("Appellants") seek to appeal the district court's order adopting the magistrate judge's report and recommendation, granting Southeastern Publishing Company, Inc., summary judgment and dismissing it from Appellants' civil action. 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, 545-47 (1949). The order Appellants seek to appeal is neither a final order nor an appealable interlocutory or collateral order. In the absence of an "express determination" by the district court that there is no just reason for delayed appellate review of the award of summary judgment in Southeastern's favor, review of the district court's order must await the disposition of all claims against all parties. Fed. R. Civ. P. 54(b). 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