

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1426

SELECT FINANCIAL LLC,

Plaintiff - Appellee,

v.

PENLAND FINANCIAL SERVICES, INC.; CHARLES W. PENLAND, SR.,
Guardian ad Litem,

Defendants - Appellants.

Appeal from the United States District Court for the District of
South Carolina, at Spartanburg. G. Ross Anderson, Jr., District
Judge. (7:05-cv-02647-GRA)

Submitted: March 11, 2009

Decided: March 27, 2009

Before TRAXLER, SHEDD, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Charles W. Penland, Sr., Appellant Pro Se. Kenneth C.
Anthony, Jr., THE ANTHONY LAW FIRM, PA, Spartanburg, South
Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charles W. Penland, Sr., appeals the district court's order that granted Plaintiff's motions for summary judgment, sanctions, and dismissal of the counterclaim filed against it; relieved Jean Bradley, the court-appointed guardian ad litem, of her duties; denied Penland's three motions to dismiss, motion for summary judgment, motion for the disbarment of an attorney and to hold Plaintiff and Bradley in contempt of court, and motion to compel information; and granted a non-party leave to provide a limited response.

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order Penland 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 further deny Penland's motion for an en banc hearing on this matter as no judge has called for a vote on whether an en banc hearing should be permitted. See Fed. R. App. P. 35(f). 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