

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-6639**

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PAUL H. NOE,

Plaintiff - Appellant,

v.

R. L. MCFADDEN; PATRICIA R. STANSBERRY, Warden; WADE NOBLES;  
S. HAYWOOD; KIM WHITE; CORRECTIONAL OFFICER COE; NURSE  
CHAPMAN; DOCTOR PHILIP; COUNSELOR FORD; LIEUTENANT DODSON,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. James C. Dever III,  
District Judge. (5:06-ct-03139-D)

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Submitted: July 31, 2008

Decided: August 11, 2008

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Before NIEMEYER, TRAXLER, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Paul H. Noe, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Paul H. Noe seeks to appeal the district court's order dismissing some, but not all, of his claims raised in his complaint filed pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). 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 Noe 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 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