

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-8499

WILLIAM CLAYTON MCKINNEDY, III,

Plaintiff - Appellant,

v.

CECIL REYNOLDS, Warden at Kershaw Correctional Institution;
ROBERT WARD, a/k/a Bob Ward; JON E. OZMINT; MARK SANFORD;
HENRY DARGAN MCMASTER; BARTON VINCENT; MARY COLEMAN; SANDRA
BOWIE; A. HARDIN; A. SELLERS; JEROME ARMSTRONG; ROBINSON;
JAMES WAKELEY; BECKWITH; JAMES BAYTES; ROBERT HUGGINS, Bob
Huggins; DERWIN NEISMAN; JERRY WASHINGTON; T. A. SMITH;
PRICE; MR. SEWARD; DUBOSE; CLAUDER; DAVID M. TATARSKY;
ROBERT JACOBS, a/k/a Bob Jacobs; OSCAR FAULKENBERRY; CAPTAIN
THOMAS, Kershaw Correctional Institution; DANIEL J. MURPHY,
Inspector General of South Carolina Department of
Corrections; LINDA J. MARTIN, OPNS, Secretary, General
Counsel, SCDC's Headquarters; PATTERSON, SCDC's General
Counsel Office,

Defendants - Appellees,

and

MIKE FAIR; JOHN D. MCLEOD; MARVIN F. KITTRELL; JOHN DOE,

Defendants.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. Henry M. Herlong, Jr., Senior
District Judge. (6:08-cv-03169-HMH-WMC)

Submitted: June 18, 2009

Decided: June 22, 2009

Before NIEMEYER, GREGORY, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

William Clayton McKinnedy, III, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Clayton McKinney, III, seeks to appeal two orders: (1) the magistrate judge's order denying McKinney's motion for reconsideration of an earlier order denying his motion for recusal and (2) the district court's order adopting the magistrate judge's recommendation and dismissing without prejudice McKinney's claims against some but not all defendants. 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 orders McKinney 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