

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-1086

BRENDA BROWN,

Plaintiff - Appellant,

v.

GREEN SPRING VILLAGE INCORPORATED,

Defendant - Appellee,

and

ERICKSON RETIREMENT COMMUNITY GREEN SPRING VILLAGE,

Defendant.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Leonie M. Brinkema,
District Judge. (1:08-cv-01043-LMB-TRJ)

Submitted: July 30, 2009

Decided: August 3, 2009

Before MOTZ, KING, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Brenda Brown, Appellant Pro Se. Joseph Dudley McCluskey,
JACKSON LEWIS, LLP, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brenda Brown seeks to appeal the district court's order granting in part and denying in part Defendant's motion to dismiss her civil complaint. 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). Because one of Brown's claims remains pending below, the order Brown 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