

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-2258

MICHAEL CORNELIUS,

Plaintiff - Appellant,

v.

COLUMBIA, CITY OF, South Carolina,

Defendant - Appellee.

No. 09-2264

MICHAEL CORNELIUS,

Plaintiff - Appellant,

v.

COLUMBIA, CITY OF, Columbia, SC,

Defendant - Appellee.

Appeals from the United States District Court for the District of South Carolina, at Columbia. Matthew J. Perry, Jr., Senior District Judge. (3:08-cv-02508-MJP-PJG; 3:06-cv-03215-MJP)

Submitted: September 14, 2010

Decided: October 29, 2010

Before GREGORY and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

No. 09-2258 dismissed; No. 09-2264 affirmed by unpublished per curiam opinion.

Michael Cornelius, Appellant Pro Se. William Allen Nickles, III, Carl Lewis Solomon, GERGEL, NICKLES & SOLOMON, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, Michael Cornelius seeks to appeal the district court's September 28, 2009 order granting in part Defendant's motion to strike (No. 09-2258) and appeals the court's September 30, 2009 order adopting the recommendation of the magistrate judge and granting summary judgment to Defendant in Cornelius's civil action alleging age discrimination (No. 09-2264).

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, 545-47 (1949). The September 28 order is neither a final order nor an appealable interlocutory or collateral order. We therefore dismiss the appeal in No. 09-2258 for lack of jurisdiction and deny Cornelius's pending motion for a transcript at government expense.

In No. 09-2264, we have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Cornelius v. City of Columbia, No. 3:06-cv-03215-MJP (D.S.C. filed Sept. 29, 2009; entered Oct. 1, 2009). We deny the pending motion for a transcript at government expense.

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.

No. 09-2258 DISMISSED

No. 09-2264 AFFIRMED