

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-6816**

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JEFFREY MICHAEL,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA; CORRECTIONAL MEDICAL SERVICES,  
INC.,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. J. Frederick Motz, District Judge.  
(1:10-cv-00728-JFM)

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Submitted: September 30, 2010

Decided: October 8, 2010

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Before NIEMEYER, AGEE, and KEENAN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Jeffrey Michael, Appellant Pro Se. Philip Melton Andrews,  
KRAMON & GRAHAM, PA, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jeffrey Michael seeks to appeal the district court's order dismissing without prejudice some claims in Michael's complaint and directing the Defendant to respond to the remaining claims in the 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, 545-46 (1949). The order Michael seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we deny Michael's motion for appointment of counsel and 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