

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-1971**

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ANTHONY A. BROTHERS,

Plaintiff - Appellant,

v.

FAMILY DOLLAR, INCORPORATED,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca Beach Smith, Chief District Judge. (2:11-cv-00355-RBS-DEM)

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Submitted: February 9, 2012

Decided: February 13, 2012

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Before WILKINSON, AGEE, and FLOYD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Anthony A. Brothers, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony A. Brothers seeks to appeal the district court's order dismissing Brothers' action without prejudice for lack of jurisdiction. 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 Brothers seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we deny Brothers' 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