

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6529

CHARLES EVERETTE HINTON,

Plaintiff - Appellant,

v.

MICHAEL W. HENDERSON; PETER S. GILCHRIST; TERESA BROADWAY;
ANDREW RUDGERS, Probation Officer,

Defendants - Appellees,

and

JOHN DOE,

Defendant.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Robert J. Conrad,
Jr., Chief District Judge. (3:10-cv-00505-RJC-DLH)

Submitted: August 25, 2011

Decided: August 30, 2011

Before MOTZ, DUNCAN, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Charles Everette Hinton, Appellant Pro Se. Sean Francis Perrin,
WOMBLE CARLYLE SANDRIDGE & RICE, PLLC, Charlotte, North
Carolina; Grady L. Balentine, Jr., Special Deputy Attorney
General, Oliver Gray Wheeler, OFFICE OF THE ATTORNEY GENERAL OF
NORTH CAROLINA, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charles Everette Hinton seeks to appeal the district court's order adopting the magistrate judge's report and recommendation and dismissing Peter S. Gilchrist, III, from his 42 U.S.C. § 1983 (2006) action. 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 Hinton 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