

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6956

ERIC L. TOLBERT,

Plaintiff - Appellant,

v.

FNU STEVENSON; FNU DALRYMPLE; FRANKLIN STEELE; FNU NEELY;
FNU PRESTON, Lieutenant; ROBERT LEWIS; BILLIE J. WEAVER; FNU
HORN, Sergeant; FNU MULLIS, Sergeant; FNU BENNETT; FNU
BRYANT, C.O.,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Graham C. Mullen,
Senior District Judge. (3:09-cv-00382-GCM)

Submitted: October 18, 2011 Decided: October 21, 2011

Before WILKINSON, MOTZ, and DIAZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Eric L. Tolbert, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Eric L. Tolbert seeks to appeal the district court's order denying his motion to appoint counsel. 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 Tolbert 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