

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1126

THEODORE JUSTICE,

Plaintiff - Appellant,

v.

DR. TIMOTHY FARLEY, Granville County School Superintendent,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. W. Earl Britt, Senior District Judge. (5:11-cv-00099-BR)

Submitted: March 29, 2012

Decided: April 3, 2012

Before WILKINSON, KING, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Theodore Justice, Appellant Pro Se. Christine Teresa Scheef, Kenneth Alexander Soo, THARRINGTON, SMITH, LLP, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Theodore Justice seeks to appeal the district court's order granting in part and denying in part the Defendant's motion to dismiss this action filed under 42 U.S.C. § 1983 (2006) alleging violations of the First and Fourteenth Amendments. 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 Justice 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