

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-1195**

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TONYA R. BLAKE,

Plaintiff - Appellant,

v.

CHILDREN'S ATTENTION HOME,

Defendant - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Rock Hill. Margaret B. Seymour, Senior District Judge. (0:11-cv-02825-MBS)

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Submitted: March 26, 2013

Decided: March 29, 2013

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Before DUNCAN, FLOYD, and THACKER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Tonya R. Blake, Appellant Pro Se. Joan Elizabeth Winters, JOAN ELIZABETH WINTERS LAW OFFICES, Chester, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tonya R. Blake seeks to appeal the magistrate judge's report and recommendation to grant defendant's motion for summary judgment and to dismiss Blake's employment discrimination claim. 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 magistrate judge's report and recommendation 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 this court and argument would not aid the decisional process.

DISMISSED