

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6739

JASON NATHANIEL GILMER,

Plaintiff - Appellee,

v.

DR. SMITH, Head Physician of KMCC,

Defendant - Appellant,

and

MR. A. WHITED, R.N.C.B. of KMCC; L. FLEMING, Warden of KMCC,

Defendants.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Norman K. Moon, Senior
District Judge. (7:14-cv-00111-NKM-RSB)

Submitted: August 20, 2015

Decided: August 25, 2015

Before DUNCAN, KEENAN, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Mary Foil Russell, HALE, LYLE & RUSSELL, PC, Bristol, Tennessee,
for Appellant. Jason Nathaniel Gilmer, Appellee Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dr. Happy Smith seeks to appeal the district court's order denying his motion for reconsideration in Jason Gilmer's 42 U.S.C. § 1983 (2012) action. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Smith 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 this court and argument would not aid the decisional process.

DISMISSED