

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 95-7281**

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ANTHONY HUGH CARTER,

Plaintiff - Appellant,

versus

JOHN R. WILLIAMS; LEWIS A. BABB; LIEUTENANT  
CARTER; SERGEANT BOYD,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern Dis-  
trict of North Carolina, at Raleigh. Malcolm J. Howard, District  
Judge. (CA-95-400-5-H)

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Submitted: December 14, 1995                      Decided: January 17, 1996

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Before ERVIN, Chief Judge, and WIDENER and WILKINS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Anthony Hugh Carter, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Appellant appeals the district court's order dismissing three of four Defendants. We dismiss the appeal for lack of jurisdiction because the order is not appealable. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (1988), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (1988); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Industrial Loan Corp., 337 U.S. 541 (1949). The order here appealed is neither a final order nor an appealable interlocutory or collateral order.

We deny leave to proceed in forma pauperis and dismiss the appeal as interlocutory. 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