

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 95-7347**

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DAVID TERRY KIDD, JR.,

Plaintiff - Appellant,

versus

COMMONWEALTH OF VIRGINIA; DEPARTMENT OF  
CORRECTIONS; MARY SUE TERRY; EDWARD MURRAY;  
PATTI L. HUFFMAN; KAREN POLINSKI,

Defendants - Appellees,

and

DALE SMITH,

Defendant.

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Appeal from the United States District Court for the Western  
District of Virginia, at Roanoke. James C. Turk, District Judge.  
(CA-92-805-R)

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Submitted: January 18, 1996

Decided: February 1, 1996

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Before HAMILTON and LUTTIG, Circuit Judges, and CHAPMAN, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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David Terry Kidd, Jr., Appellant Pro Se. Pamela Anne Sargent,  
Assistant Attorney General, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals from the district court's order addressing several pretrial motions. 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 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