

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-1311**

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RUBEN MARTIN,

Plaintiff - Appellant,

versus

GOODYEAR AUTO SERVICE CENTER, a division of  
the Goodyear Tire and Rubber Company,

Defendant - Appellee.

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Appeal from the United States District Court for the District of  
South Carolina, at Columbia. Joseph R. McCrorey, Magistrate Judge.  
(CA-94-3415-3-17BC)

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Submitted: July 23, 1996

Decided: July 30, 1996

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Before WIDENER, NIEMEYER and MICHAEL, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Ruben Martin, Appellant Pro Se. Frank Barron Grier, III, GRIER LAW  
FIRM, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the magistrate judge's order denying his motion for default judgment. 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 Indus. 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