

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 96-6610

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HENRY ERIC HAMILTON; CHESTER JAMES DOLES,

Plaintiffs - Appellants,

versus

SIMON WAINWRIGHT, Captain, in official and individual capacities; JUDY M. SMITH, Sergeant, in official and individual capacities; S. MOCK, Hearing Officer,

Defendants - Appellees.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Andre M. Davis, District Judge; John R. Hargrove, Senior District Judge. (CA-95-1240-AMD)

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Submitted: September 5, 1996                      Decided: September 17, 1996

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Before WIDENER and WILKINS, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Henry Eric Hamilton, Chester James Doles, Appellants Pro Se. John Joseph Curran, Jr., Attorney General, Audrey J. S. Carrion, OFFICE OF THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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



PER CURIAM:

Appellants appeal the district court's order granting Defendants summary judgment in part. 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