

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-7190

DAVID E. DIXON,

Plaintiff - Appellant,

versus

HORRY COUNTY, SOUTH CAROLINA; JOHN T. HENRY, Horry County Sheriff; RALPH VAUGHT, Administrator, J. Reuben Long Detention Center; LIEUTENANT BOYD, J. Reuben Long Supervisory Officer; KENNETH I. GRATE, Lieutenant, J. Reuben Long Detention Center Supervisory Officer; RANDY GERALD, Sergeant, J. Reuben Long Detention Officer; CORPORAL MOSES, J. Reuben Long Detention Center Officer; NURSE STACKHOUSE, J. Reuben Long Detention Center; VICKIE LEWIS, Nurse, J. Reuben Long Detention Center; MRS. GRISSETT, Nurse, J. Reuben Long Detention Center; ANN ANDERSON, J. Reuben Long Detention Center; DOUGLAS FREEMAN, Horry County Administrator,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Charleston. G. Ross Anderson, Jr., District Judge. (CA-95-1463-3BD)

Submitted: December 19, 1996

Decided: January 6, 1997

Before ERVIN and MOTZ, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

David E. Dixon, Appellant Pro Se. Sandra J. Senn, STUCKEY & SENN,
Charleston, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order adopting the magistrate judge's recommendation to deny Appellant's motion for summary 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 (1994), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (1994); 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