

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6196

AARON HOLSEY,

Plaintiff - Appellant,

versus

HORNBECKER, individually and as Facility Administrator; CHARNEY CAIN, individually and as Supervisor of Classification Department; HILL, individually and as a Classification Counselor; RICHARD LANHAM, individually and as Commissioner of the Division of Corrections; EARL BESHEARS, individually and as Warden; GEORGE KALOROU MAKIS, individually and as Facility Administrator; DIRECTOR OF CLASSIFICATION, individually also (Name Unknown) at Department of Corrections Headquarters,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. J. Frederick Motz, Chief District Judge. (CA-97-2422-JFM)

Submitted: September 30, 1998

Decided: October 15, 1998

Before ERVIN, LUTTIG, and WILLIAMS, Circuit Judges.

Affirmed in part and dismissed in part by unpublished per curiam opinion.

Aaron Holsey, Appellant Pro Se. John Joseph Curran, Jr., Attorney General, Wendy Ann Kronmiller, Assistant Attorney General, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Aaron Holsey appeals from the district court's order denying his motion for a temporary restraining order and/or a preliminary injunction. Holsey sought transfer to a different correctional facility as well as an order barring the use of a detainer to impede his progression to a more favorable custody classification.

To the extent that Holsey appeals the denial of a temporary restraining order, 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, 546 (1949). The order here appealed is neither a final order nor an appealable interlocutory or collateral order.

To the extent that Holsey appeals the denial of injunctive relief, we have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Holsey v. Hornbecker, No. CA-97-2422-JFM (D. Md. Jan. 16, 1998). 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.

AFFIRMED IN PART AND DISMISSED IN PART