

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7641

FRANK BLAKESLEE COX, III,

Plaintiff - Appellant,

versus

DAVID ROBINSON, Warden; W. WILSON, Sergeant;
LIEUTENANT JOHNSON, Watch Commander; LINDA
HAGAMAN, Chief Secretary,

Defendants - Appellees,

and

V. FITZGERALD, Nurse; B. ARCHER, Nurse;
SERGEANT TAYLOR; NURSE CLAIRMOUNT; LEVESTER
THOMPSON, Head Doctor,

Defendants.

Appeal from the United States District Court for the Eastern Dis-
trict of Virginia, at Norfolk. Rebecca B. Smith, District Judge.
(CA-97-549-2)

Submitted: March 25, 1999

Decided: March 31, 1999

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

Dismissed by unpublished per curiam opinion.

Frank Blakeslee Cox, III, Appellant Pro Se. Mark Ralph Davis,
OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Frank Blakeslee Cox, III, appeals from the district court's order granting summary judgment in favor of some of the Defendants and denying the motion to dismiss claims against other Defendants in this 42 U.S.C.A. § 1983 (West Supp. 1998) action. 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 deny Cox's motion for an immediate transfer to the protective custody unit at Keen Mountain Correctional Center and 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