

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-7088**

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JOSEPH SHAW, a/k/a Jelani Husani Simba,

Plaintiff - Appellant,

and

CARL GENE BALLARD; NATHAN PHILLIPS, JR.,

Plaintiffs,

versus

JAMES BAXTER HUNT, JR.; MACK JARVIS; DANIEL  
STIENKE; RUBY S. BRANDON; J. V. TURLINGTON,  
a/k/a Jack; RANNY FUTRELL; R. R. RIVENBARK;  
JAMES BYRUM; TRACY LEE UNDERWOOD; D. WALKER;  
SERGEANT CORBETT-MOORE; S. MURPHY; DAVID  
SOMESE; CORRECTIONAL OFFICER, PHIPPS; S.  
COLLINS; ELLIS SINGLETARY; CARL W. CRAVEN, II;  
JOSEPH LABELL; SERGEANT SUTTON; D. LEWIS;  
JULIE MORSE; T. THELMA SMITH; MICHAEL T. W.  
BELL; W. THOMPSON; JOANNE WISE; MICHAEL  
EDWARDS,

Defendants - Appellees,

and

CORRECTIONAL OFFICER STEWART; LIEUTENANT  
AUTRY; GEROTHA R. SPAIN; J. BAKER WILLIAMS;  
JACKIE BANNERMAN; RAY KRYNICKI; ROOSEVELT  
STRICKLAND; AGNES J. ALLER, Nurse; CATHY S.  
DIXON,

Defendants.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, District Judge. (CA-98-691-F)

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Submitted: March 9, 2000

Decided: March 15, 2000

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Before WILKINS, TRAXLER, and KING, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Joseph Shaw, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Joseph Shaw filed this interlocutory appeal after the district court dismissed some of his claims filed pursuant to 42 U.S.C.A. § 1983 (West Supp. 1999) as frivolous. The district court allowed several of Shaw's claims to proceed and directed him to particularize several other claims. In response, Shaw filed an amended complaint in the district court. In a separate order, the court again dismissed some of Shaw's claims as frivolous and allowed several others to proceed. Shaw appeals both district court orders.

We dismiss the appeal for lack of jurisdiction because the orders are not appealable. This court may exercise jurisdiction only over final orders, see 28 U.S.C. § 1291 (1994), and certain interlocutory and collateral orders, see 28 U.S.C. § 1292 (1994); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The orders here appealed are neither final orders nor appealable interlocutory or collateral orders.

We therefore 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