

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 99-7207**

---

ELDER DEFORRORRORA LOCUST,

Plaintiff - Appellant,

versus

W. BILLY SMITH, Sheriff,

Defendant - Appellee,

and

JAMES B. FRENCH; JIM HUNT, Governor; MACK  
JARVIS; DANIEL L. STIENEKE; LIEUTENANT CAN-  
NADY; L. M. PIKE, Chaplin; JOSEPH E. SETZER,  
JR.; LENOIR COUNTY; DAL F. WOOTEN, III,

Defendants.

---

Appeal from the United States District Court for the Eastern Dis-  
trict of North Carolina, at Raleigh. Terrence W. Boyle, Chief Dis-  
trict Judge. (CA-99-376-5-BO)

---

Submitted: December 16, 1999

Decided: December 29, 1999

---

Before MURNAGHAN and MOTZ, Circuit Judges, and BUTZNER, Senior Cir-  
cuit Judge.

---

Dismissed by unpublished per curiam opinion.

---

Elder Deforrorrora Locust, Appellant Pro Se. G. Christopher Olson, WOMBLE, CARLYLE, SANDRIDGE & RICE, Raleigh, North Carolina, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Elder Deforrorrora Locust appeals from the district court's order granting an extension of time for Defendants to file an answer. We dismiss the appeal for lack of jurisdiction because the order is 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 order here appealed is neither a final order nor an appealable interlocutory or collateral order.

Therefore, we grant W. Billy Smith's motion to 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