

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-7497

ROBERT WATSON,

Plaintiff - Appellant,

versus

MICHAEL MOORE, Director, in his official and individual capacity; GERALDINE P. MIRO, Warden of Allendale Correctional Institution; CLARENCE BENJAMIN, Captain; DOCTOR REGAN; DOCTOR DEVLIN; UNKNOWN DEFENDANTS,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence. Dennis W. Shedd, District Judge. (CA-97-3180)

Submitted: March 7, 2000

Decided: April 24, 2000

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

Dismissed by unpublished per curiam opinion.

Robert Watson, Appellant Pro Se. Sandra Jane Senn, Charleston, South Carolina; William Henry Davidson, II, Phillip Florence, Jr., DAVIDSON, MORRISON & LINDEMANN, P.A., Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Robert Watson appeals the district court's order adopting the magistrate judge's recommendation granting summary judgment and dismissing Defendant Regan from Watson's suit under 42 U.S.C. § 1983 (1994). 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