

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-7576

JOHNNY R. HUFF,

Plaintiff - Appellant,

versus

C. D. LARSEN, Warden, Lunenburg Correctional Center; ICC BOARD AND SECURITY; ASSISTANT WARDEN WALLACE; GARY GRAHAM, Operations Officer; DAVID GRAHAM, Assistant Operations Officer; COUNSELOR WILLIAMS; SECURITY LIEUTENANT MARTIN; SECURITY CORRECTIONAL OFFICER HAMON; SECURITY CORRECTIONAL OFFICER WOODSON; SECURITY CORRECTIONAL OFFICER FERGUSON; SECURITY CORRECTIONAL OFFICER FORD; SECURITY CORRECTIONAL OFFICER THORNTON; SECURITY CORRECTIONAL OFFICER BOISE; NURSE BLACK,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca B. Smith, District Judge. (CA-99-1754-2)

Submitted: April 27, 2000

Decided: May 5, 2000

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

Dismissed by unpublished per curiam opinion.

Johnny R. Huff, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Johnny R. Huff appeals the district court's order dismissing several of his claims under 42 U.S.C.A. § 1983 (West Supp. 1999) without prejudice and ordering Huff to particularize two remaining claims. 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.

Accordingly, we dismiss the appeal as interlocutory. Huff's motion for discovery, motion to compel, and motion for default judgment are denied. We dispense with oral argument and deny Huff's motion for the appointment of counsel because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED