

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7678

JOHN ALLEN,

Plaintiff - Appellant,

versus

RON ANGELONE; GENE JOHNSON, D.O.C. Operator;
RICHARD YOUNG, Former Regional Director; LARRY
HUFFMAN, Regional Director; PAIGE TRUE, Former
Warden, Red Onion State Prison; J. ARMENTROUT,
Assistant Warden, Red Onion State Prison;
DANIEL BRAXTON, Warden, Red Onion State
Prison; S. MULLINS, Mailroom Staff; T. PEASE,
Mailroom Staff, Red Onion State Prison,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. James C. Turk, District Judge.
(CA-02-895)

Submitted: January 16, 2003

Decided: January 27, 2003

Before WILLIAMS, KING, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

John Allen, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John Allen seeks to appeal the district court's order dismissing some but not all defendants in his 42 U.S.C. § 1983 (2000) action. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2000), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2000); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order Allen seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss the appeal for lack of jurisdiction. 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