

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 09-2392**

---

EDITH BUDIK, MD,

Plaintiff - Appellant,

v.

MICHAEL P. BRAZAITIS,

Defendant - Appellee,

v.

UNITED STATES OF AMERICA,

Movant - Appellee.

---

Appeal from the United States District Court for the District of Maryland, at Baltimore. Benson Everett Legg, Chief District Judge. (1:09-cv-03079-BEL)

---

Submitted: August 31, 2010

Decided: October 13, 2010

---

Before WILKINSON, MOTZ, and KEENAN, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

Edith Budik, Appellant Pro Se. Rod J. Rosenstein, United States Attorney, Larry David Adams, Allen F. Loucks, Assistant United States Attorneys, Baltimore, Maryland, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Edith Budik seeks to appeal the district court's order granting the motion to substitute the United States as defendant in this civil action. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Budik seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See Maron v. United States, 126 F.3d 317, 321 n.4 (4th Cir. 1997). 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