

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-2295

MELVIN C. BOMAR,

Plaintiff - Appellant,

v.

MAYOR AND CITY COUNCIL OF BALTIMORE; DEBORAH MOORE-CARTER, Labor Commissioner; MARGARET B. MARTIN, Department of General Services Division Chief III; KHALIL ZAIED, Director, Department of General Services; REGINIA GRANDE-BROWN, Department of General Services, Personnel Director; DR. KEITH LEE, Mercy Medical Clinic; DR. AMY ESPY-SMITH, Mercy Medical Clinic; LISA CONIC, Mercy Medical Clinic,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Richard D. Bennett, District Judge. (1:11-cv-00507-RDB)

Submitted: February 16, 2012 Decided: February 21, 2012

Before SHEDD, KEENAN, and WYNN, Circuit Judges.

Affirmed in part, dismissed in part by unpublished per curiam opinion.

Melvin C. Bomar, Appellant Pro Se. Cheryl Simpson Parker, Assistant City Solicitor, Baltimore, Maryland; Steven G. Metzger, GALLAGHER EVELIUS & JONES, LLP, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Melvin C. Bomar appeals the district court's order dismissing his discrimination suit under Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. §§ 2000e and the Americans with Disabilities Act ("ADA"), 42 U.S.C. §§ 12101 against the Mayor and City Council of Baltimore, Labor Commissioner Deborah Moore-Carter, Margaret B. Martin, Khalil Zaied, and Regina Grande-Brown of the Department of General Services, as well as Doctors Keith Lee and Amy Espy-Smith, and Lisa Conic of the Mercy Medical Clinic. The district court dismissed with prejudice Bomar's claims under the ADA for failure to state a cause of action. The district court further dismissed with prejudice Bomar's claims under Title VII, except those claims against the Mayor and City Council of Baltimore.

We have reviewed the record and find no reversible error as to the district court's dismissal of these claims with prejudice. We affirm for the reasons stated by the district court. Bomar v. Mayor & City Council of Baltimore, No. 1:11-cv-00507-RDB (D. Md. Oct. 27, 2011).

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). Because the district court dismissed Bomar's Title VII claims against the Mayor and City of Baltimore without

prejudice, the district court's dismissal of Bomar's case is interlocutory and not appealable. Accordingly, we dismiss this portion of 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.

AFFIRMED IN PART;
DISMISSED IN PART