UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7058

ANTHONY DACRE,

Plaintiff - Appellant,

v.

LIEUTENANT FLEMING; SERGEANT MITCHELL; SERGEANT WILSON; SERGEANT RATTCLIFF; SERGEANT REYNOLDS,

Defendants – Appellees,

DAN BRAXTON, Warden, Keen Mountain Correctional Center,

Party-in-Interest – Appellee,

and

HOGGE, Guard; BRYANT, Guard; GREEN, Guard,

Defendants.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Samuel G. Wilson, District Judge. (7:12-cv-00055-SGW-RSB)

Submitted: November 9, 2012 Decided: November 21, 2012

Before GREGORY, DUNCAN, and AGEE, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Anthony Dacre, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Dacre appeals the district court's order denying his motions for a preliminary injunction, a temporary restraining order (TRO), an extension of time, to amend his complaint, and his petition for a writ of mandamus in his 42 U.S.C. § 1983 (2006) action. We dismiss the appeal.

Dacre's action alleged that, while at Keen Mountain Correctional Center, officers had threatened him; the medical staff had withheld his medication, cane, and transcutaneous electrical nerve stimulation unit; and officials had interfered with Dacre's mail. However, because Dacre was transferred from Keen Mountain Correctional Center to Sussex I State Prison following the denial of his motions for preliminary injunctive relief, those requests are now moot. We therefore dismiss his appeal as to the denial of injunctive relief for that reason.

Dacre also appeals the district court's denial of his motion for a TRO and his non-dispositive motions. His appeal of these motions is interlocutory because the district court's order is not a final disposition of Dacre's claims. See Penn-Am. Ins. Co. v. Mapp, 521 F.3d 290, 294 (4th Cir. 2008) (defining final order); Virginia v. Tenneco, Inc., 538 F.2d 1026, 1029 (4th Cir. 1976) (stating that, absent exceptional circumstances, TRO order not immediately appealable). Accordingly, we dismiss this portion of the appeal.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED