

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

CORNELIUS TUCKER, JR.,

Plaintiff-Appellant.

v.

RICHARD SAMUEL, Sergeant; WILFORD
SHIELDS, Superintendent; JOEL

No. 95-7804

HERRON; LYNN PHILLIPS; OFFICER
HARRIS; OFFICER HORTON; OFFICER
SUTTON; GARY T. DIXON, Warden;
OFFICER DAVIS,
Defendants-Appellees.

CORNELIUS TUCKER, JR.,

Plaintiff-Appellant.

v.

RICHARD SAMUEL, Sergeant; WILFORD
SHIELDS, Superintendent; JOEL

No. 95-7910

HERRON; LYNN PHILLIPS; OFFICER
HARRIS; OFFICER HORTON; OFFICER
SUTTON; GARY T. DIXON, Warden;
OFFICER DAVIS,
Defendants-Appellees.

Appeals from the United States District Court
for the Eastern District of North Carolina, at Raleigh.
Malcolm J. Howard, District Judge.
(CA-94-484-5-H)

Submitted: January 18, 1996

Decided: February 13, 1996

Before HAMILTON and LUTTIG, Circuit Judges, and
CHAPMAN, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

COUNSEL

Cornelius Tucker, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Appellant appeals the district court's order dismissing portions of his 42 U.S.C. § 1983 complaint and the order declining to reconsider the partial dismissal and denying Appellant's motion for recusal. We dismiss the appeals for lack of jurisdiction because the orders are not appealable. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (1988), and certain interlocutory and collateral orders. 28 U.S.C. § 1292 (1988); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The orders here appealed are neither final orders nor appealable interlocutory or collateral orders.

We deny leave to proceed in forma pauperis and dismiss the appeals as interlocutory. 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

LUTTIG, Circuit Judge, concurring:

Appellant has filed 123 appeals in this court between October 22, 1993, and today. I would impose sanctions against Appellant for abuse of the judicial process.