

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-7718**

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EUGENE A. STAUCH, III,

Petitioner - Appellant,

and

JEFFREY D. THOMAS; RICHARD E. BLACKBURN;  
SAMUEL L. MCGARITY; CARL FRAZIER GOOD; MARCUS  
CROOM; MICHAEL DOUGLAS MOORE; LARRY LADURBACK;  
STACEY GRIMSLEY; HAROLD LONNIE ROBERSON; MARK  
WILES; DAVID WALLS; WILLIAM RAYNOR; VERNON LEE  
KINKLE; WAYNE SHELLEY FLEMING; WALTER FORD;  
KEVIN MIDDLETON; ROGER WALKER; LUCIUS DRAFTS;  
JOHN C. GRIFFIN; EDWARD G. FIELDS; LEONARD  
WILSON; TROY ABNEY; KENNETH OTT; WILLIAM  
KELLY,

Petitioners,

versus

GERALDINE MIRO, Warden, Allendale Correctional  
Institution; ATTORNEY GENERAL OF THE STATE OF  
SOUTH CAROLINA; SOUTH CAROLINA DEPARTMENT OF  
CORRECTIONS; MICHAEL MOORE,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Rock Hill. Cameron McGowan Currie, District  
Judge. (CA-96-3663-0-22)

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Submitted: February 26, 1998

Decided: March 20, 1998

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Before WILKINS, NIEMEYER, and HAMILTON, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Eugene A. Stauch, III, Appellant Pro Se. William Ansel Collins, Jr., SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, Columbia, South Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order accepting the magistrate judge's recommendation to deny his motions for default judgment and for sanctions. We dismiss the appeal for lack of jurisdiction because the order is not appealable. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (1994), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (1994); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order here appealed is neither a final order nor an appealable interlocutory or collateral order.

We deny a certificate of appealability and dismiss the appeal 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