

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2397

SANDRA WEINSTEIN,

Plaintiff - Appellant,

versus

BELL ATLANTIC-VIRGINIA, INCORPORATED,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Chief District Judge. (CA-97-1240-A)

Submitted: May 28, 1999

Decided: October 22, 1999

Before WIDENER, LUTTIG, and MOTZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Due H. Tran, THE LAW OFFICE OF FELDER & TRAN, L.L.C., Greenbelt, Maryland, for Appellant. Keith Fischler, BELL ATLANTIC NETWORK SERVICES, INC., Arlington, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Sandra Weinstein appeals the district court's order denying her motion for reconsideration of the district court's order granting in part the Defendant's motion to dismiss pursuant to Fed. R. Civ. P. 12(b). 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 and the appeal is premature.

We 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