

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2604

JOHN M. MURRAY,

Plaintiff - Appellant,

versus

JOHNS HOPKINS HOSPITAL; BROADWAY SERVICES,
INCORPORATED,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. William M. Nickerson, District Judge.
(CA-98-1622-WMN)

Submitted: December 17, 1998

Decided: December 30, 1998

Before WILKINS, NIEMEYER, and TRAXLER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

John M. Murray, Appellant Pro Se. Neal Serotte, SEROTTE, ROCKMAN
& WESCOTT, P.A., Baltimore, Maryland; Roger Darius Meade, Warren
Malcolm Davison, LITTLER, MENDELSON, FASTIFF & TICHY, Baltimore,
Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John M. Murray appeals the district court orders granting Appellee Johns Hopkins Hospital's motion to dismiss and denying Murray's motion for appointment of counsel. We dismiss the appeal for lack of jurisdiction because neither order is appealable. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (1994), and certain interlocutory and collateral orders. See 28 U.S.C. § 1292 (1994); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). In this case, claims remain pending in the district court against one other defendant. Because the district court did not certify its order granting the motion to dismiss as final under Fed. R. Civ. P. 54(b), and because neither of the orders falls within the collateral order doctrine, we lack jurisdiction to consider the appeal. See Baird v. Palmer, 114 F.3d 39, 43 (4th Cir. 1997); Miller v. Simmons, 814 F.2d 962, 964 (4th Cir. 1987).

Accordingly, we grant Appellee Johns Hopkins Hospital's motion to dismiss the appeal. 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