

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7478

BARRY F. BRITT,

Plaintiff - Appellant,

versus

MICHAEL MOORE, Director; WILLIAM D. CATOE,
Deputy Director; BOB WALKER; MR. CEPAK, War-
den, BRCI; WHITE, Deputy Director; CAPTAIN
NELSON, Hearing Office, officially and in
their individual capacities,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. William M. Catoe, Jr., Magistrate
Judge. (CA-98-2550-6-22AK)

Submitted: December 17, 1998

Decided: January 11, 1999

Before WILKINS, NIEMEYER, and TRAXLER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Barry F. Britt, Appellant Pro Se. Paul H. Derrick, LIDE, MONT-
GOMERY & POTTS, P.C., Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Barry F. Britt appeals from the magistrate judge's order denying his motion for appointment of counsel in his action filed under 42 U.S.C.A. § 1983 (West Supp. 1998). We dismiss the appeal for lack of jurisdiction because the order is not appealable. This court may exercise jurisdiction only over final orders, see 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). The order here appealed is neither a final order nor an appealable interlocutory or collateral order.

We therefore deny Britt's motions for appointment of counsel, grant Appellees' motion to dismiss the appeal, 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