

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7603

STEPHEN T. JONES,

Plaintiff - Appellant,

versus

LIEUTENANT ELLINGTON; J. B. BROWN, Sergeant;
RANDY RAY, Captain; CATHY COWANS, Sergeant;
CORRECTIONAL OFFICER MAVERICK; JIM JONES,
Correctional Officer; CORRECTIONAL OFFICER
JUWAN; PAT ORSBAN, Nurse; DEFENDANT CLARANCE;
SERGEANT RAY,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Asheville. Graham C. Mullen, Chief
District Judge. (CA-95-192-1-MU)

Submitted: February 25, 1999

Decided: March 12, 1999

Before HAMILTON, WILLIAMS, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Stephen T. Jones, Appellant Pro Se. Stephen Thompson Boone, BUN-
COMBE COUNTY SHERIFF'S DEPARTMENT, Asheville, North Carolina;
Elizabeth Ellen McConnell, ROBERTS & STEVENS, P.A., Asheville,
North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Stephen T. Jones appeals from the district court's order denying his motion to (1) reinstate certain of his dismissed claims and (2) strike one of the Defendants' notice of his intent to file a motion for summary judgment. 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 therefore grant the Appellees' motion to 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