

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 21-7438**

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DOUGLAS ROY SYMMES, JR.,

Plaintiff - Appellant,

v.

CAPT. COVINGTON; CAPT. JERRY INGRAM, JR.; KATY POOLE;  
WILLIAM L. BULLARD; DEAN LOCKLEAR; PAMELA J. LOCKLEAR;  
CONNIE LOCKLEAR JONES; SGT. HESTER; SHERYL HATCHER;  
CHRISTOPHER ADAMS; MONICA BOND; ERIK A. HOOKS; JUSTIN  
CHAVIS; KIM SMITH; VICTOR LOCKLEAR; K. M. RUSSELL; JARELD;  
MILSAP; ANGELA M. DELLARIPA; CYNTHIA LOWERY; KIMBERLY H.  
SILER; WAKENDA GREENE; INA M. HINTON; FAUSTINA F. BROWN; SGT.  
GADDY; PATRICIA A. ALSTON; BEVERLY A. STUBBS; SHAQUANNA M.  
WALL; EVONNE MOORE; PAUL D. TAYLOR; JASMINE T. BELYEU;  
SHAROND R. SMITH; JONNITA BAKER; REGINALD R. MEWBORN;  
JODI T. HARRISON; SGT. CLARK; SGT. LOCKLEAR; KENNETH LASSITER;  
DUNLAP; JOHN DOE; SAMMS; CLARENCE J. DELFORGE, III,

Defendants - Appellees.

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Appeal from the United States District Court for the Middle District of North Carolina, at  
Greensboro. Joi Elizabeth Peake, Magistrate Judge. (1:20-cv-00887-WO-JEP)

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Submitted: December 21, 2021

Decided: December 27, 2021

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Before KING and QUATTLEBAUM, Circuit Judges, and TRAXLER, Senior Circuit  
Judge.

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Dismissed by unpublished per curiam opinion.

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Douglas Roy Symmes, Jr., Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Douglas Roy Symmes, Jr., seeks to appeal the magistrate judge's order granting in forma pauperis status for the limited purpose of entering the order and recommending that the district court dismiss Symmes' 42 U.S.C. § 1983 complaint without prejudice. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). The order and recommendation Symmes seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. *Haney v. Addison*, 175 F.3d 1217, 1219 (10th Cir. 1999) ("Absent both designation by the district court and consent of the parties, a magistrate[judge]'s recommendation is not a final appealable decision..."). Accordingly, we dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*DISMISSED*