

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-6263**

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DEONTA JEROME HICKS,

Plaintiff - Appellant,

v.

RICK WHITE, Warden, Red Onion State Prison; CLARKE, Safety Officer, Red  
Onion State Prison; KEITH ALMARODE, Food Service Supervisor, Red Onion  
State Prison,

Defendants - Appellees,

and

STACY DAY, Unit Manager; ERIC MILLER, Unit Manager,

Defendants.

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Appeal from the United States District Court for the Western District of Virginia, at  
Roanoke. Pamela Meade Sargent, Magistrate Judge. (7:22-cv-00235-PMS)

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Submitted: August 29, 2023

Decided: September 1, 2023

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Before KING, AGEE, and BENJAMIN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Deonta Jerome Hicks, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Deonta Jerome Hicks seeks to appeal the magistrate judge's order granting the motion to dismiss filed by certain Defendants in Hicks' pro se civil action. 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 Hicks seeks to appeal is neither a final order, given that litigation on his remaining claims against other Defendants is ongoing, nor is it an appealable interlocutory or collateral order. Accordingly, we dismiss this 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*