

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6148

GEORGE FREDRICK DELANEY,

Plaintiff - Appellant,

v.

JOHN MARSH, M.D.; CAROLYN MACLAM, Head Nurse; DANIEL
BRAXTON, Senior Warden; FRED SCHILLING, M.D., Director of
Health Services,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Jackson L. Kiser, Senior
District Judge. (7:08-cv-00465-jlk-mfu)

Submitted: August 26, 2010

Decided: September 1, 2010

Before KING and DUNCAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

George Fredrick Delaney, Appellant Pro Se. James Dudley Mayson,
TIMBERLAKE, SMITH, THOMAS & MOSES, PC, Staunton, Virginia; Erin
Williams Hapgood, GYNN, MEMMER & DILLON, PC, Salem, Virginia;
Richard Carson Vorhis, Senior Assistant Attorney General,
Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

George Fredrick Delaney seeks to appeal the district court's order granting summary judgment in favor of some, but not all, Defendants and dismissing them from this 42 U.S.C. § 1983 (2006) inmate civil rights action. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Delaney seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we deny Delaney's motion to amend and 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 the court and argument would not aid the decisional process.

DISMISSED