

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-6639

WILLIE JAMES ASBURY, a/k/a Sa'id Abdullah al'Rashid,

Plaintiff - Appellant,

v.

JOHN KINARD; JAMES BARBER, III; JOSEPH MCCROREY; DAVID
NORTON,

Defendants - Appellees,

and

DAVID TARTARSKY; DON DRISKELL; JOETTE SCARBOROUGH; DENNIS
BUSH; SHARONDA SUTTON; GREGORY WASHINGTON; J. TOMARCHIO;
NURSE SMITH; NURSE MONROE; LT COPELAND; SGT CUNNINGHAM,

Defendants.

No. 14-6731

WILLIE JAMES ASBURY, a/k/a Sa'id Abdullah al'Rashid,

Plaintiff - Appellant,

v.

DAVID TARTARSKY; DON DRISKELL; JOETTE SCARBOROUGH; DENNIS
BUSH; SHARONDA SUTTON; GREGORY WASHINGTON; J. TOMARCHIO;
NURSE SMITH; NURSE MONROE; LT. COPELAND; SGT. CUNNINGHAM,

Defendants - Appellees,

and

JOHN KINARD; JAMES BARBER, III; JOSEPH MCCROREY; DAVID
NORTON,

Defendants.

Appeals from the United States District Court for the District
of South Carolina, at Anderson. Richard M. Gergel, District
Judge. (8:13-cv-03364-RMG-JDA)

Submitted: August 28, 2014

Decided: September 3, 2014

Before WILKINSON, KING, and DUNCAN, Circuit Judges.

Affirmed in part; dismissed in part by unpublished per curiam
opinion.

Willie James Asbury, Appellant Pro Se. William Henry Davidson,
II, DAVIDSON & LINDEMANN, PA, Columbia, South Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, Willie J. Asbury challenges the district court's order adopting the recommendation of the magistrate judge and denying his motion for a preliminary injunction, Fed. R. Civ. P. 65. Asbury also challenges several of the district court's and the magistrate judge's non-dispositive orders. We affirm in part and dismiss in part.

We review the denial of a preliminary injunction for abuse of discretion. WV Ass'n of Club Owners & Fraternal Servs., Inc. v. Musgrave, 553 F.3d 292, 298 (4th Cir. 2009). Among other things, "[a] plaintiff seeking a preliminary injunction must establish that he is likely to . . . suffer irreparable harm in the absence of preliminary relief." Winter v. Natural Res. Def. Council, Inc., 555 U.S. 7, 20 (2008). Here, we conclude that the district court did not abuse its discretion in finding that Asbury failed to make the requisite showing. We therefore affirm for the reasons stated by the district court. Asbury v. Tartarsky, No. 8:13-cv-03364-RMG-JDA (D.S.C. Apr. 22, 2014).

Additionally, this court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp.,

337 U.S. 541, 545-46 (1949). The non-dispositive orders Asbury seeks to appeal are neither final orders nor appealable interlocutory or collateral orders. Accordingly, we grant Appellees' motion and dismiss this portion of 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.

AFFIRMED IN PART;
DISMISSED IN PART