

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-7850**

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DAVID MEYERS,

Plaintiff - Appellant,

v.

J. ELY; LIEUTENANT LIGHT; SERGEANT J. R. COLEMAN; M. R. SLUSS; T. B. SMITH; SERGEANT S. COLLINS; LIEUTENANT HUGHES; MAJOR ANDERSON, Assistant Warden; OFFICER COX; OFFICER BAKER; OFFICER CRAFT; OFFICER CHANDLER; OFFICER HARVEY; JOHN DOE; C. MANIS; FRANKS, IHO; B. RAVIZEE; A. VANHUSS; OFFICER HENLY; K. M. FLEMING; HARRIS, Intel Officer; RIVERO, Intel Officer; LIGHT, Intel Officer; F. SANTOS; M. WILLIAMS; JAMES ELLIS; BOOTH, Records Manager; MARCUS ELAM, Western Regional Administrator; KIM CROWDER, Western Regional Ombudsman; JEFFREY KISER; B. ARTRIP; JOE FANNIN; PAMELA ASHBROOK; W. SWINEY; PAUL HAYNES, Western Regional Operations Manager; WALLENS RIDGE HOUSING AUTHORITY; BI YOUNG, Counselor; C. CAUGHRON, Counselor,

Defendants - Appellees.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Norman K. Moon, Senior District Judge. (7:19-cv-00605-NKM-JCH)

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Submitted: February 13, 2020

Decided: February 20, 2020

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Before NIEMEYER, MOTZ, and KING, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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David Meyers, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Meyers seeks to appeal the magistrate judge's order referring the complaint for an evidentiary hearing and precluding Meyers from filing any further motions or documents until the magistrate judge issues his report and recommendation. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2018), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2018); Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). The order Meyers seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we deny as moot Meyers' motion for leave to proceed on appeal under the Prison Litigation Reform Act without prepayment of fees 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 this court and argument would not aid the decisional process.

*DISMISSED*