

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-6358

DAVID HALL CRUM,

Plaintiff - Appellant,

versus

ATTORNEY GENERAL OF THE UNITED STATES; JOHN
ASHCROFT, Attorney General of the United
States; BUREAU OF PRISONS, The Director;
HARLEY G. LAPPIN, Director of the Bureau of
Prisons,

Defendants - Appellees.

Appeal from the United States District Court for the Southern
District of West Virginia, at Beckley. Joseph Robert Goodwin,
District Judge. (5:04-cv-0983)

Submitted: June 22, 2006

Decided: June 30, 2006

Before NIEMEYER, MICHAEL, and GREGORY, Circuit Judges.

Affirmed in part and dismissed in part by unpublished per curiam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

David Hall Crum, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

David Hall Crum appeals from the district court's order adopting the magistrate judge's recommendation and denying his motion for a preliminary injunction and from the magistrate judge's order consolidating his two 28 U.S.C. § 2241 (2000) petitions. Because Crum fails to satisfy the four-factor balancing test established by this court in Blackwelder Furniture Co. of Statesville, Inc. v. Seilig Mfg. Co., 550 F.2d 189 (4th Cir. 1977), we affirm the district court's order denying the motion for a preliminary injunction. Turning to Crum's appeal of the order consolidating his two § 2241 petitions, this court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2000), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2000); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The consolidation order Crum seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we affirm the denial of the motion for a preliminary injunction and dismiss for lack of jurisdiction the appeal of the consolidation order. 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.

AFFIRMED IN PART AND
DISMISSED IN PART