

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1747

SUSAN F. KEEVER,

Plaintiff - Appellee,

v.

MARTHA MEDLOCK GALLAGHER,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Martin K. Reidinger, District Judge. (3:07-cv-00362-MR)

Submitted: February 26, 2009

Decided: March 3, 2009

Before NIEMEYER, MICHAEL, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Thomas B. Kakassy, THOMAS B. KAKASSY, PA, Gastonia, North Carolina, for Appellant. Geoffrey A. Planer, Gastonia, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Martha Medlock Gallagher appeals the district court's order affirming in part, reversing in part, and remanding to the bankruptcy court for further proceedings to determine the non-dischargeable portion of a state court tort award. 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 (1949). The order Gallagher seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. District court orders remanding matters to the bankruptcy court for further consideration are not final orders. See Legal Representative for Future Claimants v. Aetna Cas. & Sur. Co. (In re The Wallace & Gale Co.), 72 F.3d 21, 24 (4th Cir. 1995); see also Capitol Credit Plan of Tenn., Inc. v. Shaffer, 912 F.2d 749, 750 (4th Cir. 1990) (holding that district court order remanding for the bankruptcy court to address two arguments not previously addressed by the bankruptcy court was not a final decision). Accordingly, we 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