

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-1909**

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BURL ANDERSON HOWELL,

Plaintiff - Appellant,

v.

DELAWARE, State of,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. Louise W. Flanagan,  
Chief District Judge. (5:08-hc-02036-FL)

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Submitted: February 19, 2009

Decided: February 23, 2009

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Before WILKINSON, DUNCAN, and AGEE, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Burl Anderson Howell, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Burl Anderson Howell seeks to appeal the district court's order transferring his action to the United States District Court for the District of Delaware for further proceedings. 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 order Howell seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See In re Carefirst of Md., Inc., 305 F.3d 253, 257 (4th Cir. 2002). Accordingly, we deny leave to proceed in forma pauperis, deny the motion to consolidate, 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