

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6186

CHRISTOPHER LOVE WILLIAMS,

Plaintiff - Appellant,

v.

JON OZMINT, SCDC Director; ROBERT WARD, Division Director; DAVID M TATARSKY, General Counsel; CARL FREDERICK; J DUNLAP; DEBBIE BARNWELL, Division of Investigations; SANDRA BOWIE, IGC Headquarters; L CARRINGTON, IGC Lieber Correctional Institution; V JENKINS, IGC Lieber Correctional Institution; K HILL; J SIMMONS; M DRAYTON, Registered Nurse; S. ROSANIO, Registered Nurse; E GADSIN, Registered Nurse; M INFINGER, Registered Nurse; MALE REGISTERED NURSE, Lieber Correctional Institution; NURSE COOPER, Registered Nurse; N GILMORE, Nurse, Perry Correctional Institution; STAN BURTT, Warden, ASST WARDEN BODISON; WARDEN BAZZLE; ASSOCIATE WARDEN CLAYTON; ASSOCIATE WARDEN MCKIE; BJ THOMAS, Inmate Representative; J BUNCOMB, Lieutenant; OFFICER MCGEE, Lieber Correctional Institution; T FORDE, Sergeant; SERGEANT STANFORD, Lieber Correctional Institution; M BRYANT, Corporal; SERGEANT JONES, Lieber Correctional Institution; C BROOKS, Corporal; L WILSON, Sergeant; PALMER, Corporal; L MATHIS, Officer, Lieber Correctional Institution; JOHN DOES, Officers, Lieber Correctional Institution Extraction Team; W JAMISON, Corporal; CORRECTIONAL OFFICER SMITH; E SKIPPER, Sergeant; CAPTAIN WHITTEN, Lieber Correctional Institution; D ROWE, Disciplinary Hearing Officer; OFFICER SUMMERS, Kirkland Correctional Institution; LIEUTENANT PEEPLES, Kirkland Correctional Institution; OFFICER FLEMING, Corporal, Perry Correctional Institution; OFFICER ROSE, Kirkland Correctional Institution; OFFICER WILLIAMS, Kirkland Correctional Institution; OFFICER PRICE, Kirkland Correctional Institution; E QUATTLEBAUM, Sergeant; CAPTAIN MAUNEY, Perry Correctional Institution; W BYRD, Lieutenant; J WILLIAMS, Officer, Perry Correctional Institution; J JOHNSON, Officer; J RANDALL, Captain; SERGEANT STRINGER, Perry Correctional Institution; OFFICER GOLDEN, Perry Correctional Institution; WARDEN ANTHONY, Lee Correctional Institution; MAJOR HUGHES, Lee Correctional Institution; JANE DOE I, Property Control Officer of Lee County; JANE DOE 1, IGC Lee County; JOHN DOE,

Sergeant, Perry Correctional Institution Transportation; Y BLOWE, Mailroom Supervisor; MR. STEVENS, Mailroom Supervisor; OFFICER JAMES, Kirkland Correctional Institution; J C BROWN, Disciplinary Hearing Office; J PECK, Commissary Official at Kirkland MSU; AMERICAN AMENITIES INCORPORATED; H BOATMAN,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Greenville. David C. Norton, District Judge. (6:07-cv-02409-DCN-WMC)

Submitted: March 27, 2008

Decided: April 4, 2008

Before TRAXLER and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed in part; affirmed in part by unpublished per curiam opinion.

Christopher Love Williams, Appellant Pro Se. John Eric Kaufmann, Daniel Roy Settana, Jr., MCKAY, CAUTHEN, SETTANA & STUBLEY, PA, Columbia, South Carolina; Christopher R. Antley, DEVLIN & PARKINSON, PA, Greenville, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Christopher Love Williams seeks to appeal the district court's order adopting the magistrate judge's report and recommendations and denying his motion for access to the prison law library and his motion for a temporary restraining order or a preliminary injunction in his civil action under 42 U.S.C. § 1983 (2000). 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 portion of the order denying a temporary restraining order and access to the law library is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss that aspect of the appeal for lack of jurisdiction.

On the other hand, the district court's denial of a request for a preliminary injunction is immediately appealable. 28 U.S.C. § 1292(a)(1) (2000). With respect to the district court's denial of Williams' motions for a preliminary injunction, we have reviewed the record and find no reversible error. Accordingly, we affirm this portion of the appeal. 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 IN PART;
AFFIRMED IN PART