

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-1937

CITY OF DURHAM; COUNTY OF DURHAM, Political subdivisions of
the State of North Carolina,

Plaintiffs - Appellees,

v.

IRIS WADSWORTH; EMMETT W. CALDWELL,

Defendants - Appellants.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. N. Carlton Tilley, Jr.,
Senior District Judge. (1:08-cv-00425-NCT-PTS)

Submitted: January 19, 2010

Decided: January 26, 2010

Before NIEMEYER, KING, and DAVIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Iris Wadsworth, Emmett W. Caldwell, Appellants Pro Se. Anne
Page Watson, Durham, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Iris Wadsworth and Emmett W. Caldwell appeal the district court's order affirming the magistrate judge's order denying their motion for an extension of time within which to file objections to the magistrate judge's report and recommendation.

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, 545-46 (1949). The order Appellants seek to appeal is neither a final order nor an appealable interlocutory or collateral order. 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