

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-2191

DAVID A. BARDES, individually as a taxpayer; and as next friend of his two minor children, DAB and APB,

Plaintiff - Appellant,

v.

JOHN M. MAGERA, individually and in his official capacity as State's Attorney for South Carolina Department of Social Services; STATE OF SOUTH CAROLINA; CHARLESTON COUNTY SOUTH CAROLINA; COUNTY COUNCIL OF CHARLESTON SOUTH CAROLINA; MCROY CANTERBURY, JR., individually and in his official capacity as Administrator for Charleston County; KATHLEEN M. HAYES, individually and in her official capacity as the South Carolina Department of Social Services State Director; JAMES A. CANNON, JR., individually and in his official capacity as Sheriff of Charleston County South Carolina; CORRECT CARE SOLUTIONS, LLC; Hon. R. WRIGHT TURBEVILLE, individually and in his official capacity as a Judge of the State of South Carolina; Hon. JOCELYN B. CATE, individually and in her official capacity as a Judge of the State of South Carolina; Hon. PAUL W. GARFINKEL, individually and in his official capacity as a Judge of the State of South Carolina; JULIE J. ARMSTRONG, individually and in her official capacity as Clerk of the Courts for the Charleston Judicial Center; WISHART NORRIS HENNINGER AND PITTMAN PA; WADE HARRISON, Esq., individually and in his official capacity as officer within any court of law,

Defendants - Appellees,

and

ODESSA WILLIAMS, individually and in her official capacity as Charleston County Department of Social Services Director,

Defendant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Patrick Michael Duffy, Senior District Judge. (2:08-cv-00487-PMD-RSC)

Submitted: March 16, 2010

Decided: March 19, 2010

Before NIEMEYER, MOTZ, and DAVIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

David A. Bardes, Appellant Pro Se. Stephanie Pendarvis McDonald, SENN, MCDONALD & LEINBACK, LLC, Charleston, South Carolina, Amanda R. Maybank, MAYBANK LAW FIRM, LLC, Charleston, South Carolina, Pamela Suzanne Duffy, Molly Anne Whitlatch, WISHART, NORRIS, HENNINGER & PITTMAN, PA, Burlington, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David A. Bardes seeks to appeal the district court's order adopting the magistrate judge's report and recommendation and dismissing all but one of Bardes's claims and attendant defendants. 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, 545-47 (1949). The order Bardes seeks 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