UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1577

PAMELA MELVIN,

                Plaintiff – Appellant,

     v.

SOCIAL SECURITY ADMINISTRATION; UNITED STATES OF AMERICA,

                Defendants – Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, Chief District Judge. (5:09-cv-00235-FL)

Submitted: October 14, 2010   Decided: October 20, 2010

Before MOTZ, KING, and DAVIS, Circuit Judges.

Dismissed in part; affirmed in part by unpublished per curiam opinion.

Pamela Melvin, Appellant Pro Se. Edward D. Gray, Assistant United States Attorney, Raleigh, North Carolina; Marian Ashley Harder, SOCIAL SECURITY ADMINISTRATION, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Pamela Melvin seeks to appeal the dismissal of some, but not all, of her civil claims, based upon the recommendation of the magistrate judge, as well as her motion for preliminary injunctive relief. 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 portion of the district court's order dismissing some, but not all, of Melvin's claims is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss that portion of Melvin's appeal for lack of jurisdiction.

As for the denial Melvin's motion for preliminary injunctive relief, we have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Melvin v. Soc. Sec. Admin., No. 5:09-cv-00235-FL (E.D.N.C. May 13, 2010). We deny Melvin's motion for stay pending appeal and 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