

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-2293

MICHAEL J. SINDRAM,

Plaintiff - Appellant,

v.

PATRICIA L. HARRINGTON; DOUGLAS B. ROBELEN, State Actor;
HON. GERALD BRUCE LEE; PHYLLIS T. WALTON; LISA GRAYSON; U.S.
MARSHAL SERVICE; JOHN HACKMAN,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Gerald Bruce Lee, District
Judge. (1:09-cv-01082-GBL-IDD)

Submitted: February 10, 2011 Decided: February 16, 2011

Before WILKINSON and DAVIS, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed in part; dismissed in part by unpublished per curiam
opinion.

Michael J. Sindram, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael J. Sindram appeals the district court's orders: (1) denying his fourth motion seeking leave to appeal in forma pauperis; (2) denying his motion seeking the recusal of the district court judge under Fed. R. Civ. P. 63; (3) denying his motion for clarification and modification; and (4) imposing a pre-filing injunction and striking Sindram's Amended Verified Complaint and Request for Injunctive Relief.

With respect to Sindram's effort to re-litigate the legality of the district court's order imposing a pre-filing injunction, this court addressed his claims in a prior appeal, concluding that the court erred in imposing the pre-filing injunction sua sponte, vacating its order imposing the injunction, striking Sindram's amended complaint and request for injunctive relief, and remanding the case for further proceedings. See Sindram v. Harrington, No. 10-2073, 2010 WL 5392910 (4th Cir. Dec. 22, 2010). Accordingly, we conclude that Sindram's challenge is barred by the law-of-the-case doctrine and that none of the exceptions to the doctrine apply. See United States v. Aramony, 166 F.3d 655, 661 (4th Cir. 1999) (discussing doctrine and exceptions thereto).

With respect to the district court's order denying Sindram's fourth motion seeking leave to appeal in forma pauperis, although the order is appealable, Sindram's appellate

brief alleges no relevant claim of error by the district court. We therefore conclude that Sindram has forfeited appellate review of this order. See 4th Cir. R. 34(b); Wahi v. Charleston Area Med. Ctr., Inc., 562 F.3d 599, 607 (4th Cir. 2009), cert. denied, 130 S. Ct. 1140 (2010); Edwards v. City of Goldsboro, 178 F.3d 231, 241 n.6 (4th Cir. 1999).

Finally, with respect to the district court's orders denying Sindram's motions for recusal and clarification, 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 (1949). These orders are neither final orders nor appealable interlocutory or collateral orders. Accordingly, we dismiss the appeal of these orders for lack of jurisdiction.

We therefore grant leave to proceed in forma pauperis on appeal and affirm in part and dismiss in part. 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.

AFFIRMED IN PART,
DISMISSED IN PART