

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-1642

In Re: Receiver.

UNITED STATES OF AMERICA,

Plaintiff,

and

BEATTIE B. ASHMORE, Receiver,

Appellee,

v.

MICHAEL THOMAS; CAROLYN THOMAS,

Respondents - Appellants.

Appeal from the United States District Court for the District of
South Carolina, at Columbia. Margaret B. Seymour, Chief
District Judge. (3:10-cv-03141-MBS)

Submitted: May 31, 2012

Decided: June 12, 2012

Before KING, GREGORY, and DAVIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Alvin G. Matthews, Fayetteville, North Carolina, for Appellants.
L. Walter Tollison, III, Lauren S. Price, THE TOLLISON LAW FIRM,

P.A., Greenville, South Carolina; Thomas E. Vanderbloemen, GALLIVAN, WHITE & BOYD, P.A., Greenville, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael and Carolyn Thomas seek to appeal the district court's order denying leave to sue the Receiver in North Carolina state court and finding that the Receiver had jurisdiction over contested assets. 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). While 28 U.S.C. § 1292(a)(2) does allow for appeal of certain specific interlocutory orders concerning receivers, this case does not concern one of those orders. The order the Thomases 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