

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-1977

LINDA K. HUGGINS,

Plaintiff - Appellant,

v.

NC DEPARTMENT OF ADMINISTRATION, NC HUMAN RELATIONS
COMMISSION,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. Louise W. Flanagan,
District Judge. (5:10-cv-00414-FL)

Submitted: January 31, 2012

Decided: February 2, 2012

Before NIEMEYER, KING, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Linda K. Huggins, Appellant Pro Se. Mary Ann Stone, Assistant
Attorney General, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Linda K. Huggins seeks to appeal the district court's order dismissing only one claim in her employment discrimination action. 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 Huggins seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss the appeal for lack of jurisdiction.

Also pending before this court is Huggins' petition for a writ of mandamus seeking an order directing the district court to enter a final order in the underlying action pursuant to Federal Rule of Civil Procedure 54(b). We conclude that Huggins is not entitled to mandamus relief. See In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988).

We therefore deny the petition for a writ of mandamus and dismiss the appeal. 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