

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-7171

ANTHONY RAY HARRIS,

Plaintiff - Appellant,

v.

R.L. FOY, Deputy; RALEIGH POLICE DEPARTMENT; WAKE COUNTY
SHERIFF'S DEPARTMENT,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. Louise W. Flanagan,
District Judge. (5:09-ct-03124-FL)

Submitted: November 15, 2011 Decided: November 18, 2011

Before NIEMEYER and KEENAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Anthony Ray Harris, Appellant Pro Se. John Albert Maxfield,
COUNTY ATTORNEY'S OFFICE FOR THE COUNTY OF WAKE, Raleigh, North
Carolina; Hunt Kang Choi, CITY ATTORNEY'S OFFICE, Raleigh, North
Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Ray Harris seeks to appeal the district court's order dismissing the Raleigh Police Department from his 42 U.S.C. § 1983 (2006) 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 Harris seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we deny Harris' motion for release and 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