

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

**No. 12-2461**

BROTHERS OF THE WHEEL M.C. EXECUTIVE COUNCIL, INC., a West  
Virginia Corporation,

Plaintiff - Appellee,

v.

GERALD R. MOLLOHAN,

Defendant - Appellant,

and

JOHN DOES 1 THROUGH 50,

Defendant.

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Appeal from the United States District Court for the Southern  
District of West Virginia, at Charleston. Thomas E. Johnston,  
District Judge. (2:11-cv-00104)

Submitted: April 3, 2013

Decided: April 18, 2013

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

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Dismissed by unpublished per curiam opinion.

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Gerald R. Mollohan, Appellant Pro Se. Richard J. Lindroth,  
South Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gerald R. Mollohan seeks to appeal the district court's order ruling that he is liable to Appellee for damages and ordering the parties to submit certain information, but ordering that no damages would be awarded until the information is received and evaluated by the district court. 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 Mollohan seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See Liberty Mut. Ins. Co. v. Wetzel, 424 U.S. 737, 742 (1976); Carolina Power & Light Co. v. Dynegy Mktg. & Trade, 415 F.3d 354, 358 (4th Cir. 2005). Accordingly, we dismiss the appeal for lack of jurisdiction. We deny Appellee's motions to strike. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED