

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-6186

JOHN W. FISHBACK,

Plaintiff - Appellant,

v.

BOBBY SHEARIN, Warden; RICHARD GRAHAM, JR., Asst. Warden;
GARY D. MAYNARD, Secretary of Public Safety and Correctional
Services; UNKNOWN EMPLOYEES, FORMER EMPLOYEES, CONTRACTORS
AND FORMER CONTRACTORS OF THE NORTH BRANCH CORRECTIONAL
INSTITUTION AND ROXBURY CORRECTIONAL INSTITUTION,

Defendants - Appellees,

and

JOHN A. ROWLEY,

Defendant.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. J. Frederick Motz, Senior District
Judge. (1:11-cv-00612-JFM)

Submitted: April 19, 2012

Decided: May 3, 2012

Before NIEMEYER, DUNCAN, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

John W. Fishback, Appellant Pro Se. Stephanie Judith Lane-Weber, Assistant Attorney General, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John W. Fishback seeks to appeal the district court's orders granting the motion to dismiss his claims against one Defendant, granting counsel's motion to withdraw, and denying his motion to appoint new counsel, stay discovery, and modify scheduling order. 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 orders Fishback seeks to appeal are neither final orders nor appealable interlocutory or collateral orders. Accordingly, we dismiss the appeal for lack of jurisdiction. We deny the motion for appointment of counsel. 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