

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-6600

STEVEN LESTER,

Plaintiff - Appellant,

v.

PERRY CORRECTIONAL INSTITUTION; IN EMPLOYEE LT CHURCH; IN
EMPLOYEE DHO TUNER, a/k/a Truner,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Florence. Timothy M. Cain, District Judge.
(4:11-cv-02994-TMC-TER)

Submitted: June 21, 2012

Decided: June 26, 2012

Before GREGORY, SHEDD, and DAVIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Steven Lester, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Steven Lester seeks to appeal the district court's order adopting the magistrate judge's recommendation and dismissing without prejudice one defendant in Lester's 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 Lester seeks 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