

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-8007**

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KENNETH NEWKIRK,

Plaintiff - Appellant,

v.

LOUIS LERNER, Judge, Circuit Court; ANTON BELL, District Attorney; GEORGE ROGERS, Attorney, Stand By; LINDA SMITH, Clerk of Circuit Court; CHARLES HADEN, Appeal Lawyer; RODNEY, Detective, Hampton Police Department; ASHLEY KELLY, Daily Press Writer; MONAE DEBRA WATERS-OWENS; THOMAS SHERRAD KEARNEY,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. M. Hannah Lauck, Magistrate Judge. (3:12-cv-00410-HEH)

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Submitted: February 21, 2013                      Decided: February 26, 2013

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

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Dismissed by unpublished per curiam opinion.

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Kenneth Newkirk, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kenneth Newkirk seeks to appeal the magistrate judge's order granting him leave to proceed in forma pauperis in his 42 U.S.C. § 1983 (2006) action and denying without prejudice his motion to transfer, motion to amend, and motion for appointment of counsel. 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 Newkirk 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 this court and argument would not aid the decisional process.

DISMISSED