

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1183

TESSIE THERESSA CASEY,

Plaintiff - Appellant,

v.

PLASTIC OMNIUM AUTO EXTERIOR LLC,

Defendant - Appellee,

and

KAREN BEASLEY; DAVID HUNTER; GREG LEWIS; RICK WALLACE,

Defendants.

Appeal from the United States District Court for the District of South Carolina, at Anderson. Henry M. Herlong, Jr., Senior District Judge. (8:11-cv-01432-HMH)

Submitted: June 18, 2013

Decided: July 15, 2013

Before MOTZ, SHEDD, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Tessie Theresa Casey, Appellant Pro Se. John Timothy Merrell, Madison Baker Wyche, III, OGLETREE, DEAKINS, NASH, SMOAK & STEWART, PC, Greenville, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tessie Theresa Casey seeks to appeal the district court's order accepting the recommendation of the magistrate judge and granting summary judgment in favor of Plastic Omnium Auto Exterior LLC ("Plastic Omnium") on Casey's employment discrimination claims. 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 Casey seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Specifically, the district court's order did not resolve all claims between the parties; Plastic Omnium's counterclaims are still pending in the district court. Further, the district court did not expressly certify its order as final pursuant to Rule 54(b). See MCI Constructors, LLC v. City of Greensboro, 610 F.3d 849, 855 (4th Cir. 2010) (describing two-part showing required for Rule 54(b) certification). 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