

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1847

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

Plaintiff - Appellant,

v.

GERALD R. MOLLOHAN,

Defendant - Appellee,

and

JOHN DOES 1 through 50,

Defendants.

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: October 21, 2013

Decided: November 12, 2013

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

Dismissed by unpublished per curiam opinion.

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

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Appellant seeks to appeal the district court's orders awarding nominal monetary damages and denying reconsideration but leaving its claim for attorneys fees under 15 U.S.C. § 1117(a) (2006) unresolved and denying without prejudice Appellee's request for final judgment. 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 Appellant seeks to appeal are neither final orders nor appealable interlocutory or collateral orders. See 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 pending motions as moot. 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