

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7867

TERRELL MCCOY,

Plaintiff - Appellant,

v.

WARDEN DAVID MICHAEL MCCALL; LIEUTENANT MADDEN; NURSE
ALLISON YOUNG; SERGEANT LINDSAY; LIEUTENANT ROBERTSON;
MIRIAM SNYDER; MS. DAVIS; LIEUTENANT DANIEL HAROUFF,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Beaufort. Mary G. Lewis, District Judge.
(9:12-cv-00474-MGL)

Submitted: March 28, 2014

Decided: April 2, 2014

Before MOTZ and KING, Circuit Judges, and DAVIS, Senior Circuit
Judge.

Dismissed by unpublished per curiam opinion.

Terrell McCoy, Appellant Pro Se. Steven Michael Pruitt,
MCDONALD, PATRICK, POSTON, HEMPHILL & ROPER, LLC, Greenwood,
South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Terrell McCoy seeks to appeal the district court's order accepting the recommendation of the magistrate judge in part and granting summary judgment to Defendants on all claims except the excessive force claim in this action under 42 U.S.C. § 1983 (2006). This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order McCoy 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

* While McCoy appealed the court's denial of his request for a preliminary injunction, and such order is immediately appealable, see 28 U.S.C. § 1292(a)(1) (2012); Dewhurst v. Century Aluminum Co., 649 F.3d 287, 290 (4th Cir. 2011), he failed to raise that issue in his informal brief. Accordingly, that claim is not before us. See 4th Cir. R. 34(b).