

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1264

CARL E. MCADOO, as Executor of the Estate of Charles Raford
McAdoo, Sr.,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA; SONNY W. TUCKER, JR., Dr.; SANDY
F. PIERCE, PA; RUTHERFORD COUNTY DEPARTMENT OF SOCIAL
SERVICES; JOHN CARROLL; VIC MARTIN; ANN PADGETT; JOYCE ANN
NASH, all individuals sued in official and personal
capacity, all defendants sued jointly and severally,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Asheville. Martin K. Reidinger,
District Judge. (1:12-cv-00328-MR-DLH)

Submitted: July 24, 2014

Decided: July 28, 2014

Before FLOYD and THACKER, Circuit Judges, and DAVIS, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Carl E. McAdoo, Appellant Pro Se. Allison C. Carroll, Paul
Bradford Taylor, OFFICE OF THE UNITED STATES ATTORNEY,
Asheville, North Carolina; Sean Francis Perrin, WOMBLE CARLYLE
SANDRIDGE & RICE, PLLC, Charlotte, North Carolina; John E.
Rogers, II, WARD LAW FIRM, PA, Spartanburg, South Carolina, for

Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Carl E. McAdoo seeks to appeal the district court's order dismissing without prejudice his action seeking to prosecute the claims of a decedent's estate. The district court dismissed for failure to obtain counsel as directed by the magistrate judge. 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 McAdoo seeks to appeal is neither a final order nor an appealable interlocutory or collateral order, as McAdoo may be able to save his action by obtaining counsel. Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). 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