

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-6977**

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JOHN DYKEMAN,

Petitioner - Appellant,

v.

WARDEN, LIEBER CORRECTIONAL INSTITUTION,

Respondent - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Anderson. Jacquelyn Denise Austin, Magistrate Judge. (8:13-cv-02933-MGL-JDA)

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Submitted: November 20, 2014

Decided: December 3, 2014

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Before KEENAN and WYNN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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John Dykeman, Appellant Pro Se. Donald John Zelenka, Senior Assistant Attorney General, Melody Jane Brown, Assistant Attorney General, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Dykeman seeks to appeal an order of the magistrate judge denying appointment of counsel in this 28 U.S.C. § 2254 (2012) action. 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 Dykeman seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See 28 U.S.C. § 636(b)(1) (2012); Fed. R. Civ. P. 72(a). Accordingly, we dismiss the appeal for lack of jurisdiction. Because the appeal does not challenge a final order, we deny as unnecessary Dykeman's motion for a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2012). 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