

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-7048

RONNIE A. NOEL,

Plaintiff - Appellant,

v.

LIEUTENANT COLONEL KUMER; ROSETTA BOWLES; PAYTEL PHONE SYSTEM; MEDICAL DIRECTOR; DENISE Y. LUNFORD, Commonwealth Attorney; WILLIAM KAVANAH, Arresting Officer; JAMES HINGELEY, Supervisor, Albemarle Public Defender's Office; VOPA, Virginia Office of Protection and Advocacy,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Glen E. Conrad, Chief District Judge. (7:14-cv-00200-GEC-RSB)

Submitted: September 25, 2014 Decided: September 30, 2014

Before WILKINSON and AGEE, Circuit Judges, and DAVIS, Senior Circuit Judge.

Affirmed in part, dismissed in part by unpublished per curiam opinion.

Ronnie A. Noel, Appellant Pro Se. Carlene Booth Johnson, PERRY LAW FIRM, PC, Dillwyn, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ronnie Noel seeks to appeal the district court's orders denying his motion for a preliminary injunction and dismissing some, but not all, of the defendants in his 42 U.S.C. § 1983 (2012) action. As to the dismissal order, 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 dismissal order Noel seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss this portion of the appeal for lack of jurisdiction.

The denial of a preliminary injunction is an immediately appealable interlocutory order. 28 U.S.C. § 1292(a)(1). We have reviewed the record in light of Noel's challenges to the denial of injunctive relief and find no reversible error, as we conclude the district court did not abuse its discretion in concluding that Noel failed to make the requisite showing. See Winter v. Natural Res. Def. Council, Inc., 555 U.S. 7, 20 (2008) (requirements for preliminary injunction); Dewhurst v. Century Aluminum Co., 649 F.3d 287, 290 (4th Cir. 2011) (standard of review). Accordingly, we affirm in part, insofar as Noel challenges the district court's order denying a preliminary injunction. 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.

AFFIRMED IN PART;
DISMISSED IN PART