Tyrone Roberson v. Anthony Padula Appeal: 15-6302 Doc: 21

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## UNPUBLISHED

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

No. 15-6302

TYRONE LAMAR ROBERSON,

Plaintiff - Appellant,

v.

ANTHONY J. PADULA, Warden Lee Corrections Institution; LIEUTENANT A. DAVIS; MS. FULTON, Medical Health Care Provider RN; RN MS. JUDY RABON; RN MS. MCDONALD; J. MCREE, MD, KCI Pharmacy; JUANITA MOSS, Food Service Supervisor; MS. BELL, Food Service Supervisor; MS. NORMAN, Food Service Supervisor; MS. ANDERSON, Food Service Supervisor,

Defendants - Appellees,

and

MAJOR JAMES DEAN; LIEUTENANT ERNEST MIMS; SERGEANT B. COOK; SERGEANT K. ARENS; SOUTH CAROLINA DEPARTMENT OF CORRECTIONS; MS. KELA E. THOMAS, Commission of Probation Parole and Pardon Services Director; WILLIAM BYARS, JR., SCDC Director, et al; SOUTH CAROLINA STATE BUDGET AND CONTROL BOARD COMMITTEE; WILLIAM F. MARSCHER, III, SC Commission on Indigent Defense; FREDERICK M. CORLEY, Esquire; RANDOLPH MURDAUGH, III, Solicitor Attorney for the State; WILLIAM T. HOWELL, Judge of the 14th Judicial Circuit Court of SC,

Defendants.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Wallace W. Dixon, Magistrate Judge. (2:13-cv-01872-BHH)

Submitted: June 18, 2015 Decided: June 23, 2015

Doc. 405513234

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Before SHEDD, DUNCAN, and AGEE, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Tyrone Lamar Roberson, Appellant Pro Se. Joseph Parker McLean, CLARKE, JOHNSON, PETERSON & MCLEAN, PA, Florence, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

Tyrone Lamar Roberson seeks to appeal the report and recommendation of the magistrate judge recommending granting Defendants' motions for summary judgment. 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 Roberson 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 deny Roberson's motions to place his case in abeyance, for costs, and for duress, and 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