

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2078

ARMANDO DESPAIGNE ZULVETA,

Plaintiff - Appellant,

v.

TC UNLIMITED INC; TIM CASE,

Defendants - Appellees,

and

STATE AUTOMOBILE MUTUAL INSURANCE COMPANY; PHILPOT LAW FIRM PA;
STEADMAN HAWKINS CLINIC OF THE CAROLINAS; WILSON JONES CARTER &
BAXLEY PA; ROBERT P. RESTREPO, JR.; STEPHEN R. BRUNER; IRVIN H.
PHILPOT, III; CURTIS ELLIOT; WESLEY J. SHULL,

Defendants.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. Henry M. Herlong, Jr., Senior
District Judge. (6:15-cv-02880-HMH-KFM)

Submitted: December 20, 2016

Decided: December 22, 2016

Before GREGORY, Chief Judge, and WYNN and FLOYD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Armando Despaigne Zulveta, Appellant Pro Se. Timothy Alan Domin, CLAWSON & STAUBES, LLC, Charleston, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Armando Despaigne Zulveta appeals the district court's scheduling order in his civil 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 Zulveta seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Additionally, although Zulveta seeks to appeal the district court's orders adopting the magistrate judge's recommendations to grant two Defendants' motion to file a late answer, to deny Zulveta's motion for default judgment, and to grant motions to dismiss Zulveta's claims against several Defendants, this court previously dismissed Zulveta's interlocutory appeal of those orders for lack of jurisdiction, Zulveta v. State Auto. Mut. Ins., No. 15-2561, 2016 WL 4394543, at *1 (4th Cir. Aug. 18, 2016), and another appeal would be not only interlocutory but duplicative.

Accordingly, we deny leave to proceed in forma pauperis and 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