

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-6877

CHRISTOPHER NELSON PAYNE,

Plaintiff - Appellant,

v.

WILLIAM WILSON, Warden RSW Jail; WITLEY, NRADC; RN SHEILA MILLER, NRADC; PENNY HOLT, RSW,

Defendants - Appellees,

and

CHRIS WILLIAMS, Captain; MEDICAL STAFF.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Robert Stewart Ballou, Magistrate Judge. (7:17-cv-00007-EKD-RSB)

Submitted: October 17, 2017

Decided: October 20, 2017

Before FLOYD and HARRIS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Christopher Nelson Payne, Appellant Pro Se. Rosalie Fessier, TIMBERLAKE SMITH, Staunton, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Christopher Nelson Payne seeks to appeal the magistrate judge's order denying his motion to appoint counsel. 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 Payne seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. *Miller v. Simmons*, 814 F.2d 962, 967 (4th Cir. 1987). 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