

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-6210

JOSEPH FLEMING,

Plaintiff - Appellant,

v.

HAROLD W. CLARKE, Director, VDOC; JOHN WALRATH, Warden; C/O LUNDY; C/O DEAN; NURSE CRAWFORD; MCBRIDE, Unit Manager; NURSE PARKS; VIRGINIA DEPARTMENT OF CORRECTIONS,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Jackson L. Kiser, Senior District Judge. (7:16-cv-00410-JLK-RSB)

Submitted: April 19, 2018

Decided: April 24, 2018

Before GREGORY, Chief Judge, and THACKER and HARRIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Joseph Fleming, Appellant Pro Se. Jeff W. Rosen, PENDER & COWARD, PC, Virginia Beach, Virginia, for Appellees Nurse Crawford and Nurse Parks.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Fleming seeks to appeal the district court's order granting in part and denying in part Defendants' summary judgment motions filed in his pending 42 U.S.C. § 1983 (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 Fleming 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 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