

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 18-6248**

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VERNON BRENT DOWLING,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA,

Defendant - Appellee,

and

DEPARTMENT OF JUSTICE; FEDERAL BUREAU OF PRISONS; FBOP  
DIRECTOR SAMUELS; ALL FEDERAL EMPLOYEES RESPONSIBLE FOR  
NEGLIGENCE, INJURY, AND DAMAGES AND HEALTH  
SERVICES/CORPORATE CONTRACT, (full names are unknown at this time);  
OFFICER WALKER; OFFICER PLATTS; LT. MERRILL; WARDEN A.  
MANSUKHANI; DOJ; FBOP; DIRECTORS SAMUELS, (FBOP); FEDERAL  
EMPLOYEES; HEALTH SERVICES STAFF; WARDEN MANSUKHANI; MS.  
WILLIAMS,

Defendants.

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Appeal from the United States District Court for the District of South Carolina, at Rock  
Hill. David C. Norton, District Judge. (0:16-cv-03468-DCN-PJG)

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Submitted: May 24, 2018

Decided: May 30, 2018

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Before NIEMEYER, MOTZ, and FLOYD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Vernon Brent Dowling, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

Vernon Brent Dowling seeks to appeal the district court's order adopting the recommendation of the magistrate judge and granting in part and denying in part defendants' motion to dismiss. 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 Dowling seeks to appeal is neither a final order nor an appealable interlocutory or collateral order.\* Accordingly, we dismiss the appeal for lack of jurisdiction and deny Dowling's pending motions. 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*

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\* An order denying a preliminary injunction is an immediately appealable interlocutory order. 28 U.S.C. § 1292(a)(1); *see Dewhurst v. Cent. Aluminum Co.*, 649 F.3d 287, 290 (4th Cir. 2011). Our review of Dowling's response to the magistrate judge's report and recommendation, notice of appeal, and informal appellate brief lead us to conclude that he does not seek to appeal the portion of the district court's order denying a preliminary injunction. *See Fed. R. App. P. 3(c)(1)(B); Jackson v. Lightsey*, 775 F.3d 170, 175-77 (4th Cir. 2014).