

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-6433

DANIEL ERIC COBBLE,

Plaintiff - Appellant,

v.

U.S. GOVERNMENT; U.S. BUREAU OF PRISONS; KENNY ATKINSON; U.S.
MARSHALS SERVICE,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Raleigh. Terrence W. Boyle, District Judge. (5:17-ct-03197-BO)

Submitted: August 24, 2018

Decided: September 4, 2018

Before WILKINSON, NIEMEYER, and DIAZ, Circuit Judges.

Affirmed in part and dismissed in part by unpublished per curiam opinion.

Daniel Eric Cobble, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Daniel Eric Cobble appeals the district court's order denying his motions for leave to proceed in forma pauperis, for a temporary restraining order, and to serve his complaint. We 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, 545-47 (1949). An order denying "a motion to proceed in forma pauperis is an appealable [interlocutory] order." *Roberts v. U.S. Dist. Court*, 339 U.S. 844, 845 (1950) (per curiam). However, we lack jurisdiction to review a district court's decision to deny a temporary restraining order. *Office of Pers. Mgmt. v. Am. Fed'n of Gov't Emps.*, 473 U.S. 1301, 1303-05 (1985); *Drudge v. McKernon*, 482 F.2d 1375, 1376 (4th Cir. 1973) (per curiam). Moreover, because Cobble's complaint remains pending in the district court, we also lack jurisdiction over the portion of the district court's order denying Cobble's motion to serve the complaint. Accordingly, we dismiss these portions of the appeal.

We review an order denying a motion to proceed in forma pauperis for abuse of discretion. *Dillard v. Liberty Loan Corp.*, 626 F.2d 363, 364 (4th Cir. 1980). We have reviewed the record and find no reversible error. Accordingly, we affirm this portion of the district court's order for the reasons stated by the district court. *Cobble v. U.S. Gov't*, No. 5:17-ct-03197-BO (E.D.N.C Mar. 7, 2018). We further deny Cobble'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.

*AFFIRMED IN PART,
DISMISSED IN PART*