

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**No. 18-6608**

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WAYNE RESPER,

Plaintiff - Appellant,

v.

WEXFORD MEDICAL SERVICES; NURSE BRENDA REECE; NURSE  
BEVERLY MCLAUGHLIN; NURSE CARLA BUCK; ALAN WILT; DIANE  
HENSEL; BERNICE; RYAN BROWNING; RICHARD GRAHAM, JR., Warden,

Defendants - Appellees.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt.  
Peter J. Messitte, Senior District Judge. (8:17-cv-02014-PJM)

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Submitted: October 18, 2018

Decided: October 29, 2018

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Before AGEE, THACKER, and RICHARDSON, Circuit Judges.

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Affirmed in part, dismissed in part by unpublished per curiam opinion.

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Wayne Resper, Appellant Pro Se. Gina Marie Smith, MEYERS, RODBELL &  
ROSENBAUM, PA, Riverdale Park, Maryland, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Wayne Resper seeks to appeal the district court's orders denying his motion for preliminary injunctive relief, denying his motion for reconsideration, and denying his motion for appointment of counsel. We affirm in part and dismiss in part.

The denial of a motion for a preliminary injunction is an appealable interlocutory order, 28 U.S.C. § 1292(A)(1) (2012), but the district court did not abuse its discretion in denying Resper's request for injunctive relief. *See Dewhurst v. Century Aluminum Co.*, 649 F.3d 287, 290 (4th Cir. 2011) (setting forth standard of review). We therefore affirm the orders denying Resper's motions for preliminary injunctive relief and reconsideration for the reasons stated by the district court. *Resper v. Wexford Med. Svcs.*, No. 8:17-cv-02014-PJM (D. Md. Dec. 21, 2017 & May 10, 2018).

With respect to the order denying Resper's motion for appointment of 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). Because this order is neither a final order nor an appealable interlocutory or collateral order, we grant the Appellees' motion to dismiss this portion of the appeal. *Miller v. Simmons*, 814 F.2d 962, 964 (4th Cir. 1987). 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*