

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 18-6616**

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JAMES ROSE,

Plaintiff - Appellant,

v.

THIERRY NETTLES; ANDREW ROCKEFELLER; WILLIAM CLINE;  
WELLINGTON WILLIAMS; CASPER PHIRI; SYLVESTER SANCHEZ;  
ALBERT MACK; TIMMOTHY CLARK; VON MUTIUS,

Defendants - Appellees.

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Appeal from the United States District Court for the District of South Carolina, at Rock Hill. A. Marvin Quattlebaum, Jr., District Judge. (0:17-cv-02000-AMQ-PJG)

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Submitted: September 13, 2018

Decided: September 18, 2018

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Before NIEMEYER and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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James Rose, Appellant Pro Se. Temus C. Miles, Jr., Daniel Roy Settana, Jr., MCKAY LAW FIRM, PA, Columbia, South Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Rose seeks to appeal from the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice his complaint against three defendants for failure to timely effect service of process. The action is proceeding in the district court against six other defendants. 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 Rose 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*