

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 20-1944**

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FRANCISCO K. AVOKI,

Plaintiff - Appellant,

and

PRISCA A. AVOKI, a/k/a Prisca Atambose Avoki; WILLIAM P. AVOKI, a/k/a  
William Paul Avoki,

Plaintiffs,

v.

CITY OF CHESTER, SC; HYGLOSS PAINT & BODY SHOP, INC.; CPL.  
ROBERT MARTZ, Individually & Officially; MAYOR GEORGE CALDWELL,  
Individually & Officially,

Defendants - Appellees,

and

POLICE DEPARTMENT OF CHESTER, SC; PTL. TYLER COVINGTON,  
Individually; DOES I-XXX; KENNETH MARSH; DEBORAH WATKINS; SANDI  
WORTHY,

Defendants.

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Appeal from the United States District Court for the District of South Carolina, at Rock  
Hill. Sherri A. Lydon, District Judge. (0:19-cv-00324-SAL-PJG)

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Submitted: July 19, 2021

Decided: August 11, 2021

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Before AGEE, THACKER, and HARRIS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Francisco K. Avoki, Appellant Pro Se. David Allan DeMasters, DAVIDSON, WREN & DEMASTERS, Columbia, South Carolina; John Grantland, MURPHY & GRANTLAND, PA, Columbia, South Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Francisco K. Avoki seeks to appeal the district court's order adopting the magistrate judge's recommendations to (a) grant Defendant City of Chester's Fed. R. Civ. P. 12(b)(6) motion to dismiss George Caldwell as a defendant in Avoki's underlying 42 U.S.C. § 1983 civil rights action; and (b) deny the Rule 12(b)(6) motion filed by Defendant Hy-Gloss Paint & Body Shop, Inc. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). The order that Avoki 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 deny Avoki's motion to consolidate this case with the appeal pending in No. 20-2033, *Avoki v. City of Chester, S.C.*

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*