

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-2033

EKOKO K. AVOKI; FRANCISCO K. AVOKI,

Plaintiffs - Appellants,

v.

CITY OF CHESTER, SC; POLICE OF CHESTER, SC; DOES I-XXX; PTL
COVINGTON, Individually,

Defendants - Appellees,

and

UNITED STATES OF AMERICA; DOES I-XX, unknown,

Defendants.

Appeal from the United States District Court for the District of South Carolina, at Rock Hill. Sherri A. Lydon, District Judge. (0:17-cv-01141-SAL-PJG)

Submitted: July 19, 2021

Decided: August 3, 2021

Before AGEE, THACKER, and HARRIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Ekoko K. Avoki, Francisco K. Avoki, Appellants Pro Se. David Allan DeMasters,
DAVIDSON, WREN & PLYLER, PA, Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Francisco K. Avoki and his wife, Ekoko K. Avoki, seek to appeal two orders issued by the district court in their 42 U.S.C. § 1983 civil rights action: (1) the March 6, 2020, order adopting the magistrate judge’s recommendation to grant Defendants partial summary judgment and to stay the remainder of the claims pending resolution of Mrs. Avoki’s related state criminal proceedings; and (2) the April 17, 2020, order denying the Avokis’ Fed. R. Civ. P. 59(e) motion to alter or amend the court’s prior ruling. 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 orders that the Avokis seek to appeal are neither final orders nor appealable interlocutory or collateral orders.* Accordingly, we dismiss the appeal for lack of jurisdiction. We deny the Avokis’ motion to consolidate this case with the appeal pending in No. 20-1944, *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

* While we would have jurisdiction to review the district court’s secondary ruling in its order rejecting the Rule 59(e) motion—to wit: the denial of the Avokis’ request for injunctive relief against an unnamed party, *see* 28 U.S.C. § 1292(a)(1)—we do not reach that ruling because the Avokis have not raised any argument related thereto in their informal briefs, *see* 4th Cir. Rule 34(b).