

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 20-6327**

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JERMAINE ANTWAN TART,

Plaintiff - Appellant,

v.

MATTHEW THEODORE JOHNS; VARIOUS JOHN DOES; SERGEANT  
EATON; OFFICER SMITH; OFFICER HICKMAN; OFFICER CAPPOLLA;  
CORPORAL FERGUSON; DONALD J. PENDOLINO; DR. RHOADES; NURSE  
SWALLIS,

Defendants - Appellees.

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Appeal from the United States District Court for the Middle District of North Carolina, at  
Greensboro. Loretta C. Biggs, District Judge. (1:18-cv-00598-LCB-JLW)

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Submitted: July 23, 2020

Decided: July 28, 2020

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Before WILKINSON, MOTZ, and RICHARDSON, Circuit Judges.

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Affirmed in part and dismissed in part by unpublished per curiam opinion.

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Jermaine Antwan Tart, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jermaine Antwan Tart seeks to appeal the district court's order accepting the recommendation of the magistrate judge, denying as moot Tart's motion for a preliminary injunction, and dismissing some, but not all, of the claims raised in his 42 U.S.C. § 1983 (2018) complaint. Under 28 U.S.C. § 1292(a)(1) (2018), this court has jurisdiction over the part of the district court's order denying a preliminary injunction. However, Tart has forfeited appellate review of this decision by not challenging it in his informal brief, *see* 4th Cir. R. 34(b); *Jackson v. Lightsey*, 775 F.3d 170, 177 (4th Cir. 2014) ("The informal brief is an important document; under Fourth Circuit rules, our review is limited to issues preserved in that brief."), and we therefore affirm this part of the district court's order.

Turning to the rest of the appeal, 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 (2018); Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). The part of the order dismissing only some of Tart's claims is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss this part of 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.

*AFFIRMED IN PART,  
DISMISSED IN PART*