

**UNPUBLISHED**

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

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**No. 20-6849**

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TAMAR DEVELL HARVEY,

Plaintiff - Appellant,

v.

D. LANDAUER, N.P.; DR. ARAKAKY; DAVID A. RYLAK, MD of Augusta Health Center; C. D. WHITLOCK, Lieutenant; RUSSELL, Asst. Warden; MACDANIEL, Correctional Officer; PEALE, Correctional Officer; E. SHIPP, RN, Director of Nursing; T. HAMILTON, RN; JOHN A. WOODSON, ACC Warden; DR. S. HERRICK, Director of Health Services; THE VIRGINIA DEPARTMENT OF CORRECTIONS, The Augusta Correctional Center; LACOUR, Laundry Manager; THE COMMONWEALTH OF VIRGINIA, exclusively; FRIDLEY, Sgt.; HAROLD W. CLARKE, Director of the Virginia Department of Corrections; S. CONNER, ACC Grievance Coordinator; LEWIS, Augusta Correctional Center Officer; TAMMY COYNER; ERIC BURCH,

Defendants - Appellees,

and

MICHAEL R. PLAUTZ, MD Augusta Otolaryngology Assoc.; STEPHEN PARK, MD of the University of Virginia Health System, Otolaryngology; DR. DANIEL PETERS, of the University of Virginia Health System, Otolaryngology; AUGUSTA HEALTH CENTER; AUGUSTA OTOLARYNGOLOGY ASSOC.; UVA NEUROSURGERY,

Defendants.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Elizabeth Kay Dillon, District Judge. (7:18-cv-00097-EKD-JCH)

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Submitted: October 20, 2020

Decided: October 23, 2020

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Before GREGORY, Chief Judge, DIAZ, Circuit Judge, and SHEDD, Senior Circuit Judge.

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Dismissed and remanded by unpublished per curiam opinion.

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Tamar Devell Harvey, Appellant Pro Se. Carl Dewayne Lonas, MORAN, REEVES & CONN, PC, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tamar Devell Harvey seeks to appeal the district court's orders granting summary judgment to some, but not all of the defendants. 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). "Ordinarily, a district court order is not final until it has resolved *all* claims as to all parties." *Porter v. Zook*, 803 F.3d 694, 696 (4th Cir. 2015) (internal quotation marks omitted).

Our review of the record reveals that the district court has not yet adjudicated all of the claims raised in Harvey's complaint. *Id.* at 696-97. Specifically, the court has not yet adjudicated the unresolved claims against the remaining defendants. We conclude that the orders Harvey seeks to appeal are neither final orders nor appealable interlocutory or collateral orders. Accordingly, we dismiss the appeal for lack of jurisdiction and remand to the district court for consideration of the unresolved claims. 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 AND REMANDED*