

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6282

JESSE RUSSELL SIMPSON,

Plaintiff - Appellant,

v.

A. MCCABE, DAP-C Chief of Psychology; C. GOMEZ, Warden; WOLEVER, Associate Warden; TEJERA, Unit Manager; LAYHUE, Correctional Counselor; B. PLAVI, Correctional Counselor; EDWARDS, Correctional Counselor; BARKASZI, Case Manager; E. DODRILL, Case Manager; FULLEN, Captain; DULLA, Correctional Officer; DAVID RUDY, Correctional Counselor; D. K. WILLIAMS, Warden; S. MOORE, Unit Manager; BREECE, Case Manager; G. HORNKOHL, Correctional Counselor; WHITLEY, Captain; WARDEN HAYES, SIS Lieutenant; O'CAIN, Lieutenant; NORTH, Lieutenant; GUINN, Lieutenant; FOISEY, Correctional Officer; SANTIAGO, Correctional Officer; MAYS, Recreation Specialist; JOHN B. FOX, Warden (OK FTC); UNKNOWN WARDEN OF OKLAHOMA CITY FTC; UNKNOWN CAPTAIN OF OKLAHOMA CITY FTC, Captain; JEREMY LYON, Acting Unit Manager; REBECCA STACY, Psychologist; CRUZ, Correctional Officer,

Defendants - Appellees.

Appeal from the United States District Court for the Northern District of West Virginia, at Martinsburg. Gina M. Groh, District Judge. (3:19-cv-00217-GMG-RWT)

Submitted: May 24, 2022

Decided: May 27, 2022

Before NIEMEYER, KING, and RICHARDSON, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Jesse Russell Simpson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jesse Russell Simpson seeks to appeal the district court's order accepting the magistrate judge's recommendation and dismissing Simpson's *Bivens** action as to all Defendants, except David Rudy. 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 Simpson 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

* *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971).