

UNPUBLISHED

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

No. 20-6454

MICHAEL JERMAINE GREENE,

Plaintiff - Appellant,

v.

DAVID BALLARD, Warden; JONATHAN FRAME, AWS; MARGARET CLIFFORD, Lieutenant; ANDY MITCHELL; SHERRILL SNYDER; BETSY JIVIDEN; KEN BOWLIN; DAVID EWING; EDWARD MYLES; CHARLES JOHNSON; MATTHEW ISAAC; KEVIN BAKER; SKYLER SANTIAGO; KYLEE MCCARTHY; DUSTIN ROSE; DYLAN HAYHURST; MATTHEW HYPES; JERRED WILSON; KELLY MINTER; JOHN WOODS; JOHN BLANKENSHIP; DUSTIN BELL; GREGORY STOVER; OFFICER BELTCHER; JOHN DOE 4, (L.T.); MATTHEW ELLIS; JOHN BOWLIN; JAMES TAYLOR; CHARLES LEGG; DONALD SLACK; JESSIE SMITH; LIEUTENANT CHRISTOPHER WILSON; LIEUTENANT ANDREW HILL; LIEUTENANT JOSH WARD; CAPTAIN DAVID MCKINNEY; NANCY JOHNSON, Counselor; ABBIE HART, Trustee Clerk; NURSE JANE DOE 1; NURSE ELIZABETH BAILES; NURSE KRISTINE BATTEN; NURSE AMANDA JONES; NURSE KELLY FOSTER; ALLISON MILLER, M.R.C.; PAM GIVENS, H.S.A.; DR. CHARLES LYE; DR. SHEWSBERRY; P.A. JOSH; SARA COOPER, Psy. Dr./MHU Staff; BRANDEN DEEM, MHU Staff; SHANNON COLEMAN, MHU Staff; TOM CARPER, MHU Staff; THOMAS, MHU Staff; ASHLEY, MHU Staff; TERESA GREGORY, Operation Warden; RALPH TERRY, Acting Warden,

Defendants - Appellees.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. John T. Copenhaver, Jr., Senior District Judge. (2:17-cv-02897)

Submitted: September 24, 2020

Decided: September 29, 2020

Before HARRIS and RICHARDSON, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Michael Jermaine Greene, Appellant Pro Se. John P. Fuller, BAILEY & WYANT, PLLC, Charleston, West Virginia; Robert Alan Lockhart, CIPRIANI & WERNER, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Jermaine Greene seeks to appeal the district court's order accepting the magistrate judge's recommendation, dismissing some of Greene's claims, and referring the matter back to the magistrate judge for further proceedings on Greene's remaining claims. 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 Greene 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