

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 26-1171

HUGH HORTON; DANNY FRYAR; MICHAEL FRYAR; BRANDON FRYAR;
BETTY KNITTEL; ROBERT MENCEY; BRYAN SMITH; TRAVIS LOVE;
BRAD BYARS; CHARLES PHILLIP GURKIN; JOHN ARCHER; PATRICK
MATHEWS; TINA VAUGHAN,

Plaintiffs - Appellees,

v.

TIMOTHY FUSSELL,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Wilmington. Richard E. Myers, II, Chief District Judge. (7:22-cv-00195-M-RJ)

Submitted: June 18, 2026

Decided: June 24, 2026

Before GREGORY and RUSHING, Circuit Judges, and KEENAN, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Timothy Fussell, Appellant Pro Se. Brooke Albert Howard, HOWARD LAW, PLLC,
Raleigh, North Carolina; John B. Veach, III, FALLS & VEACH, Asheville, North
Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Timothy Fussell seeks to appeal the district court's order and judgment granting in part Plaintiffs' motion for default judgment and entering partial default judgment against him and its order denying his motion to alter or amend judgment. 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, 545-47 (1949). The orders Fussell seeks to appeal are neither final nor appealable interlocutory or collateral orders. 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