

230 F.3d 1352

Unpublished Disposition

NOTICE: THIS IS AN UNPUBLISHED OPINION.

(The Court's decision is referenced in a "Table of Decisions Without Reported Opinions" appearing in the Federal Reporter. See CTA4 Rule 32.1.

United States Court of Appeals, Fourth Circuit.

Opheila Azriel De'LONTA, a/k/a Michael A. Stokes, Plaintiff-Appellant,

v.

Ronald J. ANGELONE; M.V. Smith, Doctor; R. Hulbert, Doctor; C.J. Angliker, Doctor; Doctor Wray; Doctor Swetter, Defendants-Appellees.

Nos. 00-6679, 00-6680. | Submitted Aug. 15, 2000. | Decided Sept. 15, 2000.

Appeals from the United States District Court for the Western District of Virginia, at Roanoke. James C. Turk, District Judge. (CA-99-642-7).

Attorneys and Law Firms

Opheila Azriel De'Lonta, pro se.

William W. Muse, Assistant Attorney General, Richmond, VA; George W. Wooten, Peter Duane Vieth, Wooten & Hart, P.C., Roanoke, VA; Heather Marie Kofron, Wright, Robinson, Ostheimer & Tatum, Richmond, VA, for appellees.

Before WILKINS, MOTZ, and KING, Circuit Judges.

Opinion

PER CURIAM.

*1 Opheila Azriel De'Lonta appeals the denial of her motions for appointment of counsel and preliminary injunctive relief. In appeal No. 00-6679, De'Lonta challenges the magistrate judge's order denying her motion for appointment of counsel. We dismiss for lack of jurisdiction because the order is not appealable. This court may exercise jurisdiction only over final orders, *see* 28 U.S.C. § 1291 (1994), and certain interlocutory and collateral orders, *see* 28 U.S.C.A. § 1292 (1994); Fed.R.Civ.P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541 (1949). The order here appealed is neither a final order nor an appealable interlocutory or collateral order. *See Miller v. Simmons*, 814 F.2d 962, 964 (4th Cir.1987).

In appeal No. 00-6680, De'Lonta challenges the district court's order denying her amended motion for preliminary injunctive relief. We find that the court did not abuse its discretion. *See Direx Israel, Ltd. v. Breakthrough Medical Corp.*, 952 F.2d 802, 814-15 (4th Cir.1991). Accordingly, we affirm on the reasoning of the district court. *See De'Lonta v. Angelone*, No. CA-99-642-7 (W.D.Va. May 9, 2000). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

No. 00-6679-DISMISSED.

No. 00-6680-AFFIRMED.

Parallel Citations

2000 WL 1336947 (C.A.4 (Va.))