

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-4645**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JULIUS NESBITT, a/k/a Butch,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Charleston. David C. Norton, Chief District Judge. (2:08-cr-01153-DCN-1)

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Submitted: July 29, 2010

Decided: July 30, 2010

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Before DUNCAN, DAVIS, and KEENAN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Louis H. Lang, CALLISON, TIGHE & ROBINSON, LLC, Columbia, South Carolina, for Appellant. Peter Thomas Phillips, Assistant United States Attorney, Charleston, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Julius Nesbitt seeks to appeal the district court's order denying his motion for reconsideration of its denial of his suppression motion and motion for a hearing pursuant to Franks v. Delaware, 438 U.S. 154 (1978). This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Nesbitt 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 the court and argument would not aid the decisional process.

DISMISSED