

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 06-7189**

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SYLVESTER A. RICHARDSON,

Petitioner - Appellant,

versus

DAVID ROBINSON,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, Chief District Judge. (3:06-cv-00401-JRS)

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Submitted: December 14, 2006

Decided: December 20, 2006

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Before MICHAEL, GREGORY, and SHEDD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Sylvester A. Richardson, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sylvester A. Richardson seeks to appeal the district court's order to show cause why his 28 U.S.C. § 2254 (2000) petition should not be dismissed as successive. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2000), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2000); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order Richardson seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we deny Richardson's motion to proceed in forma pauperis, deny his motion to consolidate, and 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