

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1969

THE 16TH ST. DR., N.W. LAND HOLDERS AND/OR ECP TRUST,

Plaintiff - Appellant,

EDITH C. PETERSON,

Trustee - Appellant,

v.

THE CITY OF HICKORY CODE ENFORCEMENT DIVISION IN N.C. 28601;
CITY OF HICKORY; CITY OF HICKORY PLANNING BOARD; MICHAEL E.
CASH,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Statesville. Richard L.
Voorhees, District Judge. (5:07-cv-00074-RLV-DLH)

Submitted: April 16, 2009

Decided: April 20, 2009

Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Edith C. Peterson, Appellant Pro Se. Bradley Philip Kline,
CRANFILL, SUMNER & HARTZOG, LLP, Charlotte, North Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Edith C. Peterson seeks to appeal the district court's order affirming the magistrate judge's order that Peterson, a non-attorney, retain counsel to represent ECP Trust. 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 (1949). The order Peterson seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we deny as moot Peterson's motion requesting that this court deny her counsel's motion to withdraw, deny Peterson's motion for time to locate new counsel, 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