

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-6105**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARVIN MARCO GRAHAM,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Graham C. Mullen, Senior District Judge. (3:02-cr-00002-GCM-1; 3:07-cv-00417-GCM)

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Submitted: July 23, 2009

Decided: July 29, 2009

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Before WILKINSON and AGEE, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Marvin Marco Graham, Appellant Pro Se. Adam Christopher Morris, OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marvin Marco Graham seeks to appeal the district court's order denying his motion to amend his 28 U.S.C.A. § 2255 (West Supp. 2009) motion to vacate. 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). "A denial of a motion to amend a complaint is not a final order, nor is it an appealable interlocutory or collateral order." Bridges v. Dep't of Md. State Police, 441 F.3d 197, 206 (4th Cir. 2006). 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