

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-7527**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARK E. PHILLIPS, a/k/a Mark L. Aaron,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. J. Frederick Motz, Senior District Judge. (1:05-cr-00165-JFM-1)

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Submitted: February 10, 2011

Decided: February 23, 2011

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

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Dismissed by unpublished per curiam opinion.

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Mark E. Phillips, Appellant Pro Se. Richard Charles Kay, Allen F. Loucks, Paul M. Tiao, Assistant United States Attorneys, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mark E. Phillips seeks to appeal the district court's order denying his motion to recuse and denying his motion for assignment of the chief judge or another district court judge to adjudicate recusal. 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 Phillips 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