

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-6182**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANGELO GALLOWAY, a/k/a Gelo,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Mark S. Davis, District Judge. (2:10-cr-00096-MSD-TEM-2)

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Submitted: April 24, 2014

Decided: April 29, 2014

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Before NIEMEYER, SHEDD, and FLOYD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Angelo Galloway, Appellant Pro Se. Laura Marie Everhart, Benjamin L. Hatch, Assistant United States Attorneys, Norfolk, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Angelo Galloway seeks to appeal the district court's order denying his motion for an evidentiary hearing in his 28 U.S.C. § 2255 (2012) proceedings. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order Galloway seeks to appeal, which was entered prior to the court's ruling on Galloway's § 2255 motion, is neither a final order nor an appealable interlocutory or collateral order. Nor could it have been certified for immediate appealability under Rule 54(b). In re Bryson, 406 F.3d 284, 287-88 (4th Cir. 2005); Equip. Fin. Grp., Inc. v. Traverse Computer Brokers, 973 F.2d 345, 347-48 (4th Cir. 1992). 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 this court and argument would not aid the decisional process.

DISMISSED