

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6824

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SHIRLEY INGRAM, a/k/a Raheem,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Frank D. Whitney, Chief District Judge. (3:10-cr-00069-FDW-1)

Submitted: August 27, 2015

Decided: September 1, 2015

Before GREGORY, AGEE, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Shirley Ingram, Appellant Pro Se. William A. Brafford, Assistant United States Attorney, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shirley Ingram seeks to appeal the district court's order directing him to file a response within 30 days indicating whether he agrees to the recharacterization of his Fed. R. Crim. P. 37 motion as a 28 U.S.C. § 2255 (2012) motion. 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 Ingram 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 this court and argument would not aid the decisional process.

DISMISSED