

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-7959**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALTON BENN,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Thomas D. Schroeder, District Judge. (1:11-cr-00127-TDS-2)

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Submitted: April 19, 2016

Decided: April 21, 2016

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Before AGEE, DIAZ, and THACKER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Alton Benn, Appellant Pro Se. Lisa Blue Boggs, Robert Michael Hamilton, Angela Hewlett Miller, Assistant United States Attorneys, Stephen Thomas Inman, OFFICE OF THE UNITED STATES ATTORNEY, Greensboro, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Alton Benn seeks to appeal the district court's order affirming the magistrate judge's denial of Benn's motion to expand the record 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 Benn 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