

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-4518

NORMAN KEVIN WILKERSON,

Petitioner - Appellant,

v.

HAROLD W. CLARKE, Director of Virginia Department of
Corrections,

Respondent - Appellee,

and

COMMONWEALTH OF VIRGINIA,

Respondent.

No. 16-6425

NORMAN KEVIN WILKERSON,

Petitioner - Appellant,

v.

HAROLD W. CLARKE, Director of Virginia Department of
Corrections,

Respondent - Appellee,

and

COMMONWEALTH OF VIRGINIA,

Respondent.

Appeals from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca Beach Smith, Chief District Judge. (2:15-cv-00396-RBS-RJK)

Submitted: October 6, 2016

Decided: October 28, 2016

Before KEENAN and FLOYD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed and remanded by unpublished per curiam opinion.

Norman Kevin Wilkerson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, Norman Kevin Wilkerson seeks to appeal the district court's orders dismissing his 28 U.S.C. § 2254 (2012) petition without prejudice to his right to refile the petition after exhausting his state court remedies, denying his motion to reinstate based on having exhausted the remedies, denying his Fed. R. Civ. P. 60(b) motion, and denying his motion for release pending appeal. We may exercise jurisdiction only over final orders of the district court, 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). We conclude that the orders Wilkerson seeks to appeal are neither final orders nor appealable interlocutory or collateral orders. See Goode v. Central Va. Legal Aid, 807 F.3d 619 (4th Cir. 2015).

Accordingly, we deny Wilkerson's pending motions as moot, dismiss the appeals for lack of jurisdiction, and remand the case to the district court with instructions to allow Wilkerson to reinstate his case and file an amended § 2254 petition. 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 AND REMANDED