US v. Booker T. Vanderhorst Doc. 406002348

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-6016

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BOOKER T. VANDERHORST,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Patrick Michael Duffy, Senior District Judge. (2:13-cr-00294-PMD-1; 2:15-cv-01979-PMD)

Submitted: May 26, 2016 Decided: May 31, 2016

Before TRAXLER, Chief Judge, and NIEMEYER and FLOYD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Booker T. Vanderhorst, Appellant Pro Se. Nathan S. Williams, Assistant United States Attorney, Charleston, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

Dockets.Justia.com

PER CURIAM:

Booker T. Vanderhorst seeks to appeal the district court's order denying his motion to amend the record in his 28 U.S.C. § 2255 (2012) proceeding. We dismiss the appeal for lack of jurisdiction because the order Vanderhorst seeks to appeal is neither final nor otherwise appealable. See Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-47 (1949); Catlin v. United States, 324 U.S. 229, 233-34 (1945).

Accordingly, we deny Vanderhorst's motion asking this court to amend the record and we dismiss the appeal. 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