

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-6734

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARTIN MARTINEZ SALDANA,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina,
at Statesville. Frank D. Whitney, Chief District Judge. (5:12-cr-00049-FDW-DCK-1)

Submitted: July 18, 2019

Decided: July 23, 2019

Before WILKINSON, AGEE, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Martin Martinez Saldana, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Martin Martinez Saldana seeks to appeal the district court's order granting the Government's motion for a final order confirming forfeiture. *See* Fed. R. Crim. P. 32.2(c)(2). While a criminal defendant may appeal a preliminary forfeiture order, he may not appeal a final forfeiture order entered after an ancillary proceeding addressing whether the Government or a third party will obtain the forfeited property. *See United States v. Amodeo*, 916 F.3d 967, 972 (11th Cir. 2019). Accordingly, we conclude that Saldana does not have standing to appeal the final forfeiture order and dismiss the appeal for lack of jurisdiction. *See id.* at 973. We deny Saldana leave to proceed under the Criminal Justice Act, 18 U.S.C. § 3006A (2012), and deny his motion for appointment of counsel. 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