

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**No. 20-6585**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RICHARD L. BRYANT, a/k/a Pumpkin, a/k/a Rock,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca Beach Smith, Senior District Judge. (2:92-cr-00088-6)

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Submitted: September 18, 2020

Decided: October 2, 2020

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Before NIEMEYER, WYNN, and RICHARDSON, Circuit Judges.

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Dismissed and remanded by unpublished per curiam opinion.

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Richard L. Bryant, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Richard L. Bryant seeks to appeal the district court’s order denying his “Emergency Motion to Reopen Petition Under First Step Act of 2018 Based on Extraordinary and Compelling Circumstances Pursuant to 18 U.S.C. 3582(c)(1)(A)(i).” This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). “Ordinarily, a district court order is not final until it has resolved *all* claims as to all parties.” *Porter v. Zook*, 803 F.3d 694, 696 (4th Cir. 2015) (internal quotation marks omitted).

Our review of the record reveals that the district court did not adjudicate all of the claims raised in Bryant’s motion. *Id.* at 696-97. Specifically, the court failed to address Bryant’s claim that his heightened susceptibility to COVID-19 is an extraordinary and compelling reason justifying compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). We conclude that the order Bryant seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss the appeal for lack of jurisdiction and remand to the district court for consideration of the unresolved claim. *Id.* at 699. We express no view as to the merits of the claim.

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*