

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-6997

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ALANI OLUSEGUN ARAWOLE,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Benson E. Legg, District Judge. (CR-97-283-L, CA-00-66-L)

Submitted: July 24, 2001

Decided: August 6, 2001

Before LUTTIG and TRAXLER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Alani Olusegun Arawole, Appellant Pro Se. Christine Manuelian, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Alani Olusegun Arawole appeals the district court order denying his motion for leave to amend his 28 U.S.C.A. § 2255 (West Supp. 2000) motion and the amended § 2255 motion. Arawole has also filed a motion to stay district court proceedings pending the outcome of this appeal. We dismiss the appeal for lack of jurisdiction because the court's order is not appealable. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (1994), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (1994); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). An order denying a motion for leave to amend the § 2255 motion and the amended § 2255 motion is neither a final order nor an appealable interlocutory or collateral order.

We deny a certificate of appealability, dismiss the appeal as interlocutory, and deny the motion to stay as moot. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED