

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-8017

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

PETER KAY STERN,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Bryson City. Lacy H. Thornburg, District Judge. (2:99-cr-00081; 2:06-cv-00028)

Submitted: March 22, 2007

Decided: March 30, 2007

Before WIDENER and WILKINSON, Circuit Judges, and HAMILTON, Senior Circuit.

Dismissed by unpublished per curiam opinion.

Peter Kay Stern, Appellant Pro Se. Amy Elizabeth Ray, OFFICE OF THE UNITED STATES ATTORNEY, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Peter Kay Stern seeks to appeal the district court's order denying various motions that he filed along with his pending 28 U.S.C. § 2255 (2000) motion, including motions to disqualify all of the judges of the Western District of North Carolina and the U.S. Attorney, a motion for release on bond, a motion for copies of grand jury transcripts, a motion to produce a witness at a hearing, and a motion for a gag order. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2000), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2000); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order Stern seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we deny Stern's motion for summary judgment and dismiss the appeal for lack of jurisdiction. 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