

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6752

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

WILLIAM HAMILTON, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Beaufort. Sol Blatt, Jr., Senior District Judge. (9:00-cr-00263-SB-7; 9:04-cv-01736-SB)

Submitted: July 31, 2007

Decided: August 20, 2007

Before MICHAEL, GREGORY, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

William Hamilton, Jr., Appellant Pro Se. Robert Hayden Bickerton, Assistant United States Attorney, Charleston, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Hamilton, Jr., seeks to appeal a district court order disposing of several motions, denying most of his 28 U.S.C. § 2255 (2000) claims and appointing counsel for the limited purpose of preparing for a hearing on the issue of whether trial counsel was ineffective for failing to inform Hamilton of a plea agreement. Thus, the case remains open in the district court. 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, 545-47 (1949). The order Hamilton seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal for lack of jurisdiction. We also deny Hamilton's motions to overrule the district court's decision and to appoint counsel. 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