

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-6198**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

NORMAN ALAN KERR,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. N. Carlton Tilley, Jr., Senior District Judge. (1:09-cr-00290-NCT-1; 1:14-cv-1094)

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Submitted: April 16, 2015

Decided: April 21, 2015

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Before AGEE and KEENAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Norman Alan Kerr, Appellant Pro Se. Robert Albert Jamison Lang, Assistant United States Attorney, Winston-Salem, North Carolina; Angela Hewlett Miller, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Norman Alan Kerr seeks to appeal the magistrate judge's order denying his motion seeking to disqualify the United States Attorney for the Middle District of North Carolina and the district court judge who presided over his trial and sentencing from participating in the adjudication of his 28 U.S.C. § 2255 (2012) motion.

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-47 (1949). The order Kerr seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we deny Kerr's motion for a transcript at government expense 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 this court and argument would not aid the decisional process.

DISMISSED