

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-6684

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GERALD DAMONE HOPPER,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at
Charlotte. Max O. Cogburn, Jr., District Judge. (3:95-cr-00119-MOC-SCR-1)

Submitted: September 14, 2023

Decided: September 18, 2023

Before WILKINSON, GREGORY, and RICHARDSON, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Gerald Damone Hopper, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gerald Damone Hopper seeks to appeal the district court's order denying his motion to recuse the magistrate judge and to quash an arrest warrant. 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; *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949); see *United States v. Sueiro*, 946 F.3d 637, 639 (4th Cir. 2020) (“In the criminal context, . . . this Court generally does not have appellate jurisdiction until after the imposition of a sentence.”). The order Hopper seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See, e.g., *Mischler v. Bevin*, 887 F.3d 271, 271 (6th Cir. 2018) (per curiam) (“[A]n order denying recusal is not immediately appealable under the collateral order doctrine.”).

Accordingly, we 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