

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6776

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DALLAS MICHAEL ACOFF, a/k/a DAL,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at
Wheeling. John Preston Bailey, District Judge. (5:22-cr-00013-JPB-JPM-1; 5:25-cv-
00139-JPB-JPM)

Submitted: March 26, 2026

Decided: March 31, 2026

Before RICHARDSON and BERNER, Circuit Judges, and FLOYD, Senior Circuit Judge.

Dismissed and remanded by unpublished per curiam opinion.

Dallas Michael Acoff, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dallas Michael Acoff seeks to appeal the district court's amended order denying relief on his counseled 28 U.S.C. § 2255 motion. 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; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). "Ordinarily, a district court order is not final until it has resolved *all* claims as to all parties." *Porter v. Zook*, 803 F.3d 694, 696 (4th Cir. 2015) (internal quotation marks omitted).

Our review of the record reveals that the district court did not adjudicate all the claims raised in the motion. *Id.* at 696-97. Specifically, the court failed to address Acoff's claim of ineffective assistance of counsel, which related to Attorney Charles Berry's performance at the plea hearing. We therefore conclude that the order Acoff seeks to appeal is neither a final order nor an appealable interlocutory or collateral order.* Accordingly, we dismiss the appeal for lack of jurisdiction and remand to the district court for consideration of the unresolved claim. *Id.* at 699.

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 AND REMANDED

* Acoff moves for a certificate of appealability, but we deny this motion as moot.