

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

April 21, 2011

Lyle W. Cayce  
Clerk

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No. 10-30623  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

DARREL G. JONES,

Defendant-Appellant

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 2:10-CV-1350  
USDC No. 2:97-CR-217-3

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Before WIENER, PRADO, and OWEN, Circuit Judges.

PER CURIAM:\*

Darrel G. Jones, federal prisoner # 30209-048, filed a 28 U.S.C. § 2255 motion, challenging his convictions for possession with intent to distribute cocaine and possession of a firearm during a drug trafficking offense and his aggregate 248-month sentences. The district court found that Jones's § 2255 motion was successive and transferred the case to this court for a determination whether Jones was entitled to authorization to proceed. Jones currently seeks

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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a certificate of appealability (COA) to appeal the district court's denial of his motion for reconsideration of this transfer order.

If necessary, this court must examine the basis of its jurisdiction *sua sponte*. *Mosley v. Cozby*, 813 F.2d 659, 660 (5th Cir. 1987). The order denying Jones's motion to reconsider the order transferring his § 2255 motion to this court is a non-appealable interlocutory order. *See* 28 U.S.C. §§ 1291, 1292(a), (b); FED. R. CIV. P. 54(a), 59(e); *Brinar v. Williamson*, 245 F.3d 515, 516-18 (5th Cir. 2001). This court is without jurisdiction to consider Jones's request for a COA. Consequently, the motion for a COA is DENIED, and the APPEAL IS DISMISSED for lack of jurisdiction.