

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 10, 2013

Elisabeth A. Shumaker
Clerk of Court

AARON JORDAN,

Plaintiff - Appellant,

v.

D. COOLEY, #302595; CITY OF
AURORA, (official capacity suit); J. VAN
KAMP, #25337; CARRIAGE PARK
CONDO ASSOCIATION; PRESIDENT
DENNIS HOUCK,

Defendants - Appellees.

No. 13-1517
(D.C. No. 1:13-CV-01650-REB-MJW)

ORDER

Before **KELLY, HOLMES**, and **MATHESON**, Circuit Judges.

We raise *sua sponte* the question of whether this court has jurisdiction to consider this appeal by Plaintiff Aaron Jordan.

Except in certain limited circumstances that are not present here, this court's appellate jurisdiction is limited to review of final decisions. 28 U.S.C. § 1291; *see also United States v. Nixon*, 418 U.S. 683, 690-92 (1974); *Albright v. Unum Life Ins. Co.*, 59 F.3d 1089, 1092 (10th Cir. 1995). A final decision is one that "ends the litigation on the merits and leaves nothing for the court to do but execute judgment." *Cunningham v. Hamilton Cnty., Ohio*, 527 U.S. 198, 204 (1999) (internal quotations omitted).

In the case underlying this appeal, the defendants have moved to dismiss Mr. Jordan's complaint. Those motions remain pending in the district court. Because the district court has not entered a final decision in this matter, we lack jurisdiction to consider Mr. Jordan's appeal.

Appeal dismissed.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script, appearing to read "Jane K. Castro", with a long horizontal flourish extending to the right.

by: Jane K. Castro
Counsel to the Clerk