

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

August 20, 2018

Elisabeth A. Shumaker
Clerk of Court

DARRELL MORRIS,

Plaintiff - Appellant,

v.

GENESE MCCOY, OK Dept of Corr
MSA's; KENT KING, Dr. RHSA;
ROBERT BALOGH, Dr., RHSA; BILLIE
NYE, L.P.N., RHSA; LARRY BOWLER,
Dr. CHSA; BETHANY WAGENER, PA-
C, CHAS,

Defendants - Appellees.

No. 18-6147
(D.C. No. 5:16-CV-01297-D)
(W.D. Okla.)

ORDER

Before **HARTZ, PHILLIPS**, and **MORITZ**, Circuit Judges.

We raise *sua sponte* the question of whether this court has jurisdiction to consider this appeal by plaintiff Darrell Morris. On April 5, 2018, April 26, 2018, and June 27, 2018, the magistrate judge assigned to this case issued recommendations on dispositive motions filed by the defendants. Mr. Morris has filed objections to all three recommendations, but the district court has not yet ruled on his objections or adopted the recommendations. On August 15, 2018, Mr. Morris filed a notice of appeal “from the final judgment entered in this action on ‘unavailable(pending?).’”

Generally, this court's appellate jurisdiction is limited to final decisions of the district courts. 28 U.S.C. § 1291. As Mr. Morris seems to acknowledge in his notice of appeal, the district court has not yet entered a final judgment in this case. Moreover, a magistrate judge's recommendation is not directly appealable to this court. *See Phillips v. Beierwaltes*, 466 F.3d 1217, 1221 (10th Cir. 2006). Consequently, we lack jurisdiction to consider this appeal.

APPEAL DISMISSED.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

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

by: Jane K. Castro
Counsel to the Clerk