

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

November 23, 2021

Christopher M. Wolpert
Clerk of Court

WADE LAY,

Plaintiff - Appellant,

v.

AMERICAN CIVIL LIBERTIES UNION
OF OKLAHOMA; OKLAHOMA
DEPARTMENT OF CORRECTIONS;
SCOTT CROW, Director of ODOC; MR.
FARRIS, Warden at OSP; MISS. GREEN,
Deputy Warden at OSP; MR. KIRBY, H-
unit manager at OSP; OFFICER HOOD;
OFFICER DEBINDER; LT. DIXON;
OKLAHOMA INSPECTOR GENERAL,

Defendants - Appellees.

No. 21-7059
(D.C. No. 6:21-CV-00214-JFH-SPS)
(E.D. Okla.)

ORDER

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

Pro se Appellant Wade Lay seeks to appeal the district court's November 8, 2021 order dismissing his claims against defendants American Civil Liberties Union of Oklahoma and the Oklahoma Department of Corrections and directing him to file an amended complaint. For the reasons stated below, the court dismisses this appeal.

This court has jurisdiction over appeals from all final decisions of the district courts under 28 U.S.C. § 1291. Final decisions are those that “end the litigation on the merits and leave nothing for the court to do but execute the judgment.” *See Utah v.*

Norton, 396 F.3d 1281, 1286 (10th Cir. 2005). “[T]o be final, a decision must reflect the termination as to all parties and causes of action.” See *Dodge v. Cotter Corp.*, 328 F.3d 1212, 1221 (10th Cir. 2003).

Here, Appellant is challenging an order that is not immediately appealable under § 1291. The district court has not yet entered a final judgment in the underlying case and proceedings are ongoing. Accordingly, this court lacks jurisdiction to consider the appeal.

APPEAL DISMISSED.

Entered for the Court

A handwritten signature in black ink, appearing to read 'Christopher M. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk