

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

November 17, 2025

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LAMAR RAY STEELE, JR.,

Defendant - Appellant.

No. 25-3191
(D.C. No. 5:22-CR-40085-TC-1)
(D. Kan.)

ORDER

Before **McHUGH**, **MORITZ**, and **CARSON**, Circuit Judges.

This matter is before us sua sponte to consider the court’s jurisdiction over this appeal. *See Hill v. Vanderbilt Cap. Advisors, LLC*, 702 F.3d 1220, 1223 (10th Cir. 2012) (this court has “an independent duty to examine [its] own jurisdiction”).

Appellant Lamar Ray Steele, Jr., proceeding pro se, appeals from three district court orders that denied a bevy of his pretrial motions in this criminal proceeding.

This court entered a jurisdictional show cause order directing Mr. Steele to demonstrate the existence of appellate jurisdiction. In our order, we noted that it did not appear that the district court proceeding had concluded given that Mr. Steele had not been sentenced and no final judgment had been entered. We have before us Mr. Steele’s response to that order. Upon careful consideration of Mr. Steele’s response and the applicable law, we find that we lack jurisdiction for the reasons articulated below.

This court generally has jurisdiction to hear appeals from “final decisions” of district courts. 28 U.S.C. § 1291. A criminal case is not final for purposes of § 1291 until “the determination of guilt has been completed.” *United States v. Paup*, 933 F.3d 1226, 1229 (10th Cir. 2019) (citation omitted). Put simply, “[f]inal judgment in a criminal case means sentence. The sentence is the judgment.” *Id.* (citation omitted). “The final judgment rule prohibits appellate review in a criminal case until conviction and imposition of a sentence.” *United States v. Walker*, 915 F.2d 1463, 1465 (10th Cir. 1990).

Mr. Steele contends that the collateral order doctrine—which provides a narrow exception to the final judgment rule—applies to provide us with jurisdiction here.

To fall within the collateral order doctrine, the district court's order must: (1) conclusively determine the disputed question, (2) resolve an important issue separate from the merits of the case, and (3) be effectively unreviewable once final judgment is entered. *United States v. Tucker*, 745 F.3d 1054, 1063 (10th Cir. 2014). In the criminal context, the Supreme Court has applied the collateral order doctrine to only four categories of interlocutory criminal appeals: those involving motions to reduce bail, motions to dismiss based on double jeopardy grounds, motions to assert immunity under the Speech or Debate Clause, and orders involuntarily medicating a defendant for competency purposes. *See id.*; *see also Sell v. United States*, 539 U.S. 166, 176-77 (2003). Outside of these specified categories, the collateral order doctrine may be invoked only where a criminal defendant asserts a “right not to be tried” that rests upon “an explicit statutory or constitutional guarantee that trial will not occur.” *Tucker*, 745 F.3d at 1063.

In his response to our show cause order, Mr. Steele does not identify how the appealed-from rulings implicate “an explicit statutory or constitutional guarantee that trial will not occur” and we fail to see how such a guarantee is or could be implicated by those rulings.

We conclude that the collateral order doctrine does not apply to permit immediate appellate review of any of the appealed-from orders. We do not have jurisdiction in this matter.

APPEAL DISMISSED.

Entered for the Court

Per Curiam