

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

June 5, 2025

Christopher M. Wolpert
Clerk of Court

CHARLES ALFRED ARMAJO, JR.,

Plaintiff - Appellant,

v.

CONNIE SPRAGUE,

Defendant - Appellee,

and

SETH NORRIS; DIANE
SCHWARTZKOPF; MS. MARTINEZ;
MS. CASTELLO; DANIEL SHANNON;
K. HOLMES; NEICOLE MOLDEN;
APRIL WILLIAMS; MS. MCFERRIN;
JANELLE THAYER; D. WELLMEYER;
SEARGENT MCMACKEN; M.
HANDLEY; JEREMY CLOSS; LISA
NUSS; K. PAYSENO; AMBER STITT;
MR. STEINBRECHER; N. PETERSON;
ANDREW BURKHALTER; SERGEANT
SHAFFER; RACHEL KELLEY,

Defendants.

No. 25-8025
(D.C. No. 1:24-CV-00061-SWS)
(D. Wyo.)

ORDER

Before **HOLMES**, Chief Judge, **MORITZ**, and **EID**, Circuit Judges.

This matter is before the court following Mr. Armajo's response to this court's May 21, 2025, show cause order. Mr. Armajo appeals the district court's dismissal of

defendant Connie Sprague for failure to timely serve her. Upon consideration, we conclude that we lack jurisdiction for the reasons provided below.

Generally, this court's appellate jurisdiction is limited to review of final decisions of the district courts within this circuit. 28 U.S.C. § 1291. A final decision is one that "ends the litigation on the merits and leaves nothing more for the court to do but execute the judgment." *Cunningham v. Hamilton Cnty., Ohio*, 527 U.S. 198, 204 (1999). In other words, "[a] final judgment is one that terminates all matters as to all parties and causes of action." *Utah v. Norton*, 396 F.3d 1281, 1286 (10th Cir. 2005) (internal quotation marks omitted).

Here, Mr. Armajo seeks to appeal the dismissal of one defendant. Numerous other defendants remain active in the case, and the case remains ongoing in the district court. As such, the district court's order is not a final decision. Moreover, Mr. Armajo's arguments that this order is subject to the collateral order doctrine are unpersuasive.

The order Mr. Armajo seeks to appeal is not a final order, so this court is without jurisdiction to consider this 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