

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-13504

Non-Argument Calendar

BOZORGMEHR POUYEH,

Plaintiff-Appellant,

versus

PUBLIC HEALTH TRUST OF JACKSON
HEALTH SYSTEM,

CARLOS A. MIGOYA,

Chief Executive Officer of the Trust,

DR. STEVEN J. GEDDE,

Program Director of Ophthalmology Residency Program,

DR. STEFANIE R. BROWN,

Program Director of Preliminary & Internal Medicine

formerly known as Dr. Doe,

DR. J. DONALD TEMPLE,

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Program Director of Harrington Program, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Florida
D.C. Docket No. 1:16-cv-23582-JEM

Before ROSENBAUM, LUCK, and LAGOA, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Bozorgmehr Pouyeh appeals *pro se* from the district court's October 12, 2023, paperless order granting him a trial continuance but denying him leave to amend his complaint and motion for partial summary judgment. Pouyeh also appeals from the district court's October 13, 2023, order denying his motion for partial summary judgment.

Neither of these orders, however, is final and appealable because neither ended litigation on the merits in this case, which is set for trial on December 4, 2023. *See* 28 U.S.C. § 1291; *CSX Transp., Inc. v. City of Garden City*, 235 F.3d 1325, 1327 (11th Cir. 2000); *Plaintiff A v. Schair*, 744 F.3d 1247, 1252-53 (11th Cir. 2014). In addition, neither order is otherwise immediately appealable under the

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collateral order doctrine because both orders may be reviewed effectively from a final judgment resolving all claims. *See Plaintiff A*, 744 F.3d at 1252-53.

All pending motions are DENIED as moot. No petition for rehearing may be filed unless it complies with the timing and other requirements of 11th Cir. R. 40-3 and all other applicable rules.