

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-10718

Non-Argument Calendar

In re: SHIRLEY WHITE-LETT,

Debtor.

SHIRLEY WHITE-LETT,

Plaintiff-Appellant,

versus

FEDERAL NATIONAL MORTGAGE ASSOCIATION,
a.k.a. Fannie Mae,
MORTGAGE ELECTRONIC REGISTRATION SYSTEM,
INCORPORATED,
(MERS),

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MERSCORP HOLDINGS, INC.,
d.b.a. MERS,
BANK OF AMERICA, N.A.,

Defendants-Appellees,

NEWREZ, INC., et al.,

Defendants.

Appeal from the United States District Court
for the Northern District of Georgia
D.C. Docket No. 4:22-cv-00082-WMR,
Bkcy No. 1:10-bk-61451-BEM

Before JORDAN, NEWSOM, and BRANCH, Circuit Judges.

PER CURIAM:

The motions to dismiss the appeal filed by Bank of America, N.A.; MERSCOPR Holdings, Inc.; Mortgage Electronics Registration Systems, Inc.; and Federal National Mortgage Association are GRANTED, and this appeal is DISMISSED.

Although the district court's February 17, 2023, order resolved the claims against some of the defendants, it did not end the

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litigation on the merits because the matters in the district court remain pending as to the Bank of New York Mellon; the Bank of New York Mellon, Corporation; RRA CP Opportunity Trust 1; Shellpoint Mortgage Servicing; and NewRez, LLC. Thus, because the district court did not certify the order under Federal Rule of Civil Procedure 54(b), it is not final or otherwise immediately appealable. See 28 U.S.C. §§ 1291, 1292; Fed. R. Civ. P. 54(b); *Supreme Fuels Trading FZE v. Sargeant*, 689 F.3d 1244, 1246 (11th Cir. 2012) (explaining that an order adjudicating fewer than all the claims in a suit, or adjudicating the rights and liabilities of fewer than all the parties, is not a final judgment from which an appeal may be taken, unless the district court properly certifies a judgment on fewer than all claims or parties as “final” under Rule 54(b)); *CSX Transp., Inc. v. City of Garden City*, 235 F.3d 1325, 1327 (11th Cir. 2000) (“A final decision is one which ends the litigation on the merits and leaves nothing for the court to do but execute the judgment.”). Additionally, the February 17, 2023, order is not appealable pursuant to 28 U.S.C. § 1292(a)(1) because no party sought injunctive relief in the district court, and the order did not grant or deny such relief. See 28 U.S.C. § 1292(a)(1).

All pending motions other than the motions to dismiss are DENIED as moot.