

[DO NOT PUBLISH]

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 23-13933

Non-Argument Calendar

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STEVEN DOUGLAS SHERMAN,

Plaintiff-Appellant,

*versus*

A. BURLESON,  
Officer, et al.,

Defendants,

CASTRO,  
LPN,  
B. BOTTOMS,  
HSA,  
E. HERNANDEZ-PEREZ,

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DR.,  
PYBUS,  
LPN,  
AMY SCOTT,  
HSA, et al.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Florida  
D.C. Docket No. 3:21-cv-00537-MCR-ZCB

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Before WILSON, GRANT, and ABUDU, Circuit Judges.

PER CURIAM:

Upon review of the record and the response to the jurisdictional question, this appeal is DISMISSED for lack of jurisdiction. Steven Sherman appeals from the district court's November 17, 2023 final order and summary judgment in favor of several defendants. However, Sherman previously filed Fed. R. Civ. P. 41(a)(1)(A)(ii) stipulations of voluntary dismissal as to three defendants that were not signed by all parties. Because not all defendants signed those filings, those stipulations were ineffective to dispose of the claims against the three defendants, and those claims remain pending. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii); *City of*

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*Jacksonville v. Jacksonville Hosp. Holdings, L.P.*, 82 F.4th 1031 (11th Cir. 2023) (holding that a stipulation of voluntary dismissal must be signed by all parties who have appeared regardless of whether they remain in the action). Because not all of Sherman's claims have been disposed of, the appeal is not taken from a final decision, and we lack jurisdiction. See 28 U.S.C. § 1291; *CSX Transp., Inc. v. City of Garden City*, 235 F.3d 1325, 1327 (11th Cir. 2000); *Supreme Fuels Trading FZE v. Sargeant*, 689 F.3d 1244, 1245-46 (11th Cir. 2012). To the extent that appellees purport to waive Rule 41(a)(1)(A)(ii)'s signature requirement, our appellate jurisdiction cannot be waived. See, e.g., *Esteva v. UBS Fin. Servs. Inc. (In re Esteva)*, 60 F.4th 664, 670-79 (11th Cir. 2023); *Absolute Activist Value Master Fund Ltd. v. Devine*, 998 F.3d 1258, 1264 (11th Cir. 2021).