

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 24-12454

Non-Argument Calendar

GREGORY B. MYERS,

Plaintiff-Appellant,

versus

CITY OF NAPLES, FLORIDA,
a Florida Municipal Corporation,
NAPLES BEACH CLUB LAND TRUST TRUSTEE, LLC,
a Delaware limited liability company, as Trustee under the
Land Trust Agreement dates as of May 27, 2021,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 2:24-cv-00419-JES-KCD

Before ROSENBAUM, NEWSOM, and GRANT, Circuit Judges.

PER CURIAM:

Gregory Myers appeals the district court's order denying his motion to stay the case pending resolution of his interlocutory appeal of the court's order denying his motion to stay the case and compel arbitration. Naples Beach Club Land Trust Trustee, LLC moves to dismiss the appeal for lack of jurisdiction because, it argues, the order is not final. It also contends that the appeal is frivolous and seeks sanctions, including an appellate filing injunction.

We agree that we lack jurisdiction. The denial of a motion to stay a case is not final or appealable. *See CSX Transp., Inc. v. City of Garden City*, 235 F.3d 1325, 1327 (11th Cir. 2000) (explaining that an order is a final decision if it ends the litigation on the merits and leaves nothing for the court to do but execute the judgment); *Mohawk Indus., Inc. v. Carpenter*, 558 U.S. 100, 107 (2009) (explaining that under the collateral order doctrine, an issue is not sufficiently important unless delaying review until the entry of final judgment would imperil a substantial public interest or some particular value of a high order); *Plaintiff A v. Schair*, 744 F.3d 1247, 1252-53 (11th Cir. 2014) (providing that the denial of a motion to stay an order or

24-12454

Opinion of the Court

3

case is not reviewable under the collateral order doctrine because it does not present a sufficiently important issue, as the potential negative consequences of allowing the case to proceed are limited to a single party's rights and interests); *Feldspar Trucking Co., v. Greater Atlanta Shippers Ass'n*, 849 F.2d 1389, 1391-92 (11th Cir. 1988) (providing that a district court's order staying or refusing to stay its own proceedings is not automatically appealable as injunctive under 28 U.S.C. § 1292(a)(1)).

Accordingly, the motion to dismiss this appeal for lack of jurisdiction is GRANTED, and this appeal is DISMISSED. The motion to impose sanctions is DENIED.