

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-11994
Non-Argument Calendar

DIVINE SERENITY SHOP, INC.,
a Florida Corporation,
MADE WITH LASER, LLC,
d.b.a. Apartment Botanist,

Plaintiffs-Appellants,

versus

PLANT IDENTIFICATION, INC.,
a California Corporation,
d.b.a. Palmstreet,
f.k.a. Plantstory,
CHEN LI,
an individual,
DANIELLE CICCOLI,
an individual,
KATHY BANEGAS,
d.b.a. The Healing Gem,
BREANNA PALACIOZ,

d.b.a. Crystal Vibrations, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 8:24-cv-02081-WFJ-LSG

Before ROSENBAUM, NEWSOM, and KIDD, Circuit Judges.

PER CURIAM:

Divine Serenity Shop, Inc. and Made with Laser, LLC filed a complaint against six defendants. On May 12, 2025, the district court entered an order granting the motion to dismiss filed by three of those defendants. The plaintiffs appealed that dismissal order, as well as the court’s May 27, 2025 endorsed order denying their motion for reconsideration of the dismissal. The plaintiffs then filed an amended complaint against the remaining three defendants.

We lack jurisdiction over this appeal because the May 12 and May 27 orders are not final decisions, as the plaintiffs’ amended complaint against the remaining defendants remains pending before the district court. *See* 28 U.S.C. § 1291 (providing appellate jurisdiction over “final decisions of the district courts”); *Acheron Cap., Ltd. v. Mukamal*, 22 F.4th 979, 986 (11th Cir. 2022) (explaining that a final decision ends the litigation on the merits and leaves nothing for the court to do but execute its judgment). Those orders are not otherwise appealable now because the district court did not certify either of them for immediate review and they are effectively

25-11994

Opinion of the Court

3

reviewable on appeal from a final judgment. *See* 28 U.S.C. § 1292(b) (providing for appeal of certain certified interlocutory orders); Fed. R. Civ. P. 54(b) (providing for entry of final judgment as to fewer than all parties or claims); *Plaintiff A v. Schair*, 744 F.3d 1247, 1252-53 (11th Cir. 2014) (explaining that a ruling that does not conclude the litigation may be appealed under the collateral order doctrine if it, inter alia, is “effectively unreviewable on appeal from a final judgment”).

Accordingly, this appeal is DISMISSED, sua sponte, for lack of jurisdiction. All pending motions are DENIED as MOOT.