NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-12810
Non-Argument Calendar

LEONARDO CRESPO,

Plaintiff-Appellant,

versus

TESLA, INC.,
a foreign corporation,
TESLA FLORIDA, INC.,
a Florida corporation,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Florida
D.C. Docket No. 9:25-cv-80129-DMM

Before BRANCH, GRANT, and LUCK, Circuit Judges.

PER CURIAM:

Leonardo Crespo, pro se, filed a notice of appeal designating the district court's August 12, 2025 order affirming a magistrate judge's order that: (1) denied Crespo's discovery motions and imposed $921 in attorneys' fees as sanctions against Crespo; and (2) granted the defendants' motion for judgment for Crespo's nonpayment of the fees.

The August 12 order is not an appealable final decision because it did not dispose of any, much less all, of Crespo's claims in his amended complaint. *See* 28 U.S.C. § 1291 (providing that we have jurisdiction over "appeals from all final decisions of the district courts"); *Acheron Cap., Ltd. v. Mukamal*, 22 F.4th 979, 986 (11th Cir. 2022) ("A final decision is typically one that ends the litigation on the merits and leaves nothing for the court to do but execute its judgment."). "Discovery orders are ordinarily not final orders that are immediately appealable." *Doe No. 1 v. United States*, 749 F.3d 999, 1004 (11th Cir. 2014); *see also Robinson v. Tanner*, 798 F.2d 1378, 1380 (11th Cir. 1986) (explaining that as a general rule, orders imposing sanctions for discovery abuses are not final under § 1291).

The order, which imposed sanctions pursuant to Fed. R. Civ. P. 37, is not appealable under the collateral order doctrine for two reasons. *See 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 conclusively resolves an important issue collateral to the merits and is effectively unreviewable on appeal from a final judgment). First, the sanctions order was not separate from the merits of the

case, because in reviewing the motions that led to the sanctions order, the court determined that many of Crespo's discovery requests were unnecessary for his claims. Second, nothing suggests that the order will be effectively unreviewable on appeal from the final judgment. *See Cunningham v. Hamilton Cnty., Ohio*, 527 U.S. 198, 203-10 (1999) (explaining that "a Rule 37(a) sanctions order often will be inextricably intertwined with the merits of the action" and will be effectively reviewable on appeal following final judgment); *cf. Ortho Pharm. Corp. v. Sona Distribs.*, 847 F.2d 1512, 1515-17 (11th Cir. 1988) (reviewing appeal of Fed. R. Civ. P. 11 sanctions against a party's attorney under the collateral order doctrine because the sanctions were "significant" and had to be paid immediately).

The August 12 order is not immediately appealable under the doctrine of practical finality because Crespo has not alleged that paying the attorneys' fees will cause him irreparable harm and the record does not suggest that it would. *See Fed. Sav. & Loan Ass'n v. Blythe Eastman Paine Webber, Inc.*, 890 F.2d 371, 377 (11th Cir. 1989) (explaining that the doctrine of practical finality permits review of an interlocutory order that calls for the "immediate delivery of physical property and subjects the losing party to irreparable harm" (quotation marks omitted)).

Accordingly, this appeal is DISMISSED, sua sponte, for lack of jurisdiction.[1] All pending motions are DENIED as moot.

[1] On September 25, 2025, the district court entered a final judgment, which Crespo appealed. That appeal is pending in case number 25-13558.