

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-13899

Non-Argument Calendar

DARNETTA TYUS,

Plaintiff-Appellant,

DARNETTA TYUS,

Plaintiff,

versus

CITY OF COLLEGE PARK, GEORGIA,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Georgia
D.C. Docket No. 1:23-cv-01733-SDG

Before JORDAN, JILL PRYOR, and GRANT, Circuit Judges.

PER CURIAM:

Darnetta Tyus appeals the district court’s September 30, 2025, order granting partial summary judgment in favor of the City of College Park, Georgia (the “City”). Tyus and Sharis McCrary filed a joint complaint against the City, asserting statutory claims of gender-based employment discrimination and retaliation, as well as Equal Protection Clause violations under 42 U.S.C. § 1983. The district court granted the City’s motion for summary judgment as to Tyus’s claims and part of one of McCrary’s claims. McCrary’s claims remain pending before the district court.

We lack jurisdiction over Tyus’s appeal because the September 30 order is not final and appealable, as it did not end the litigation on the merits—McCrary’s claims remain pending—and the district court did not certify it for immediate review. *See* 28 U.S.C. §§ 1291, 1292(b); *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, 1246 (11th Cir. 2012) (noting that an order that disposes of fewer than all claims against all parties is not immediately appealable absent certification pursuant to Fed. R. Civ. P. 54(b)). Further, the partial summary judgment order is not appealable now under the collateral order doctrine because it did not resolve an issue completely separate from the merits and is effectively reviewable on appeal from the final judgment. *See Plaintiff A v. Schair*, 744 F.3d 1247, 1253 (11th Cir. 2014) (explaining that an order that does not conclude the litigation may be appealed under the collateral order doctrine if it, among other things, resolves an issue completely separate from the merits and is effectively unreviewable on appeal from a final judgment).

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Opinion of the Court

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Accordingly, this appeal is DISMISSED, *sua sponte*, for lack of jurisdiction.