

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 26-10661
Non-Argument Calendar

THOMAS PEPE,

Plaintiff-Appellant,

versus

CHRISTOPHER DECOSTA,

Judicial RICO Enterprise,

LUKE LAJQI,

RALPH CONFREDA,

Attorney,

DOUGLAS R. GOLDIN,

Attorney,

ANTHONY ALCAIDE,

Judicial RICO Enterprise, et al.,

Defendants-Appellees,

SENIOR JUDGE CHRISTINE GREIDER,

Defendant.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 2:25-cv-00536-JES-NPM

Before ROSENBAUM, NEWSOM, and BRANCH, Circuit Judges.

PER CURIAM:

Thomas Pepe, proceeding pro se, appeals the magistrate judge's order denying his motion to file a third amended complaint.

The appealed order is not final because it did not end the litigation on the merits or resolve any of Pepe's claims. *See* 28 U.S.C. § 1291; *CSX Transp., Inc. v. City of Garden City*, 235 F.3d 1325, 1327 (11th Cir. 2000) (explaining that a final decision ends the litigation on the merits and leaves nothing for the district court to do but execute its judgment).

Further, the order is not an appealable interlocutory order because the district court did not certify the order for interlocutory appeal, it did not address an issue separate from and collateral to the merits of the action, and nothing suggests that it would be effectively unreviewable on appeal from a final judgment. *See* 28 U.S.C. § 1292(b); *Acheron Cap., Ltd. v. Mukamal*, 22 F.4th 979, 989 (11th Cir. 2022) (explaining that, among other requirements, an order must be effectively unreviewable on appeal from a final judgment to be appealable under the collateral order doctrine). Nor did the district court's subsequent dismissal of Pepe's case cure his premature appeal. *See Robinson v. Tanner*, 798 F.2d 1378, 1382-83

26-10661

Opinion of the Court

3

(11th Cir. 1986) (explaining that a subsequent final judgment cures a premature appeal only when the appeal is from an otherwise final order dismissing a claim or party).

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