

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 26-11038
Non-Argument Calendar

RAZIEL OFER,

Plaintiff-Appellant,

versus

LAUREL M. ISICOFF,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Florida
D.C. Docket No. 1:23-cv-24738-WFJG

Before GRANT, ABUDU, and KIDD, Circuit Judges.

PER CURIAM:

Raziel Ofer, pro se, appeals from the district court's March 23, 2026 order denying his first motion to recuse the district judge and striking his second recusal motion as untimely. The appellee

moves to dismiss the appeal, asserting that it is not taken from a final or otherwise appealable order. Ofer responds that we have jurisdiction to review the order “by writ of mandamus,” and requests that we stay the appeal pending reinstatement of his related mandamus proceedings. Alternatively, Ofer requests that we convert the appeal to a mandamus case.

We lack jurisdiction over Ofer’s appeal because the March 23 order is not final or otherwise appealable. First, the ruling is not final because it did not end the litigation on the merits, as the amended complaint remains pending in the district court. *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 order ends the litigation on the merits). Additionally, it is not an immediately appealable interlocutory order because recusal questions are reviewable on appeal from the final judgment. *See Steering Comm. v. Mead Corp. (In re Corrugated Container Antitrust Litig.)*, 614 F.2d 958, 960-61 (5th Cir. 1980) (providing that the denial of a motion to recuse the judge is not an immediately appealable interlocutory order because disqualification questions are fully reviewable on appeal from the final judgment). Furthermore, the district court did not certify the March 23 order for immediate review. *See* Fed. R. Civ. P. 54(b).

Additionally, we deny Ofer’s request to convert the appeal to a mandamus case because he has adequate alternative remedies, including seeking appellate review after a final judgment is entered. *See Jackson v. Motel 6 Multipurpose, Inc.*, 130 F.3d 999, 1004 (11th Cir. 1997).

26-11038

Opinion of the Court

3

Accordingly, the appellee's motion to dismiss is GRANTED and the appeal is DISMISSED for lack of jurisdiction. Ofer's request to convert the appeal to a mandamus case is DENIED. All other pending motions are DENIED as moot.