

App. 1

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 07-14141-FF

JUAN M. PEREZ,

Plaintiff-Appellant,

versus

CITY OF MIAMI BEACH,
a Municipal Corporation
of the State of Florida,
JOHN DOE 1-10;
JORGE GONZALEZ,
individually,
PATRICIA WALKER,
individually,

Defendants-Appellees,

Appeal from the United States District Court
for the Southern District of Florida

(Filed Nov. 23, 2007)

Before BARKETT, MARCUS, and WILSON, Circuit
Judges.

BY THE COURT:

This appeal is DISMISSED for lack of jurisdiction.
The August 8, 2007, judgment, granting summary

judgment in favor of Defendant City of Miami Beach, is not final or immediately appealable. See 28 U.S.C. § 1291; Fed. R. Civ. P. 54(b); *Vann v. Citicorp Sav. of Ill.*, 891 F.2d 1507, 1509-12 (11th Cir. 1990); *Insinga v. LaBella*, 817 F.2d 1469, 1470 and n.2 (11th Cir. 1987); *Czeremcha v. Int'l Ass'n of Machinists and Aerospace Workers, AFL-CIO*, 724 F.2d 1552, 1554-55 (11th Cir. 1984). Appellant's subsequent voluntary dismissal of his remaining claims with prejudice did not render the district court's August 8 order and judgment final or immediately appealable. See *Druhan v. Am. Mutual Life*, 166 F.3d 1324, 1326-27 (11th Cir. 1999); *Mesa v. United States*, 61 F.3d 20, 21-22 (11th Cir. 1995).

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 07-11021-JJ

JUAN M. PEREZ,

Plaintiff-Appellant,

versus

CITY OF MIAMI BEACH,
a Municipal corporation
of the State of Florida,

Defendant-Appellee,

JOHN DOES 1-10, et al.,

Defendants.

Appeal from the United States District Court
for the Southern District of Florida

(Filed May 31, 2007)

Before TJOFLAT, BIRCH, and PRYOR, Circuit
Judges.

BY THE COURT:

This appeal is DISMISSED for lack of jurisdiction. The January 26, 2007, order and the January 29, 2007, judgment, granting summary judgment in favor of Defendant City of Miami Beach, are not final

or immediately appealable. See 28 U.S.C. § 1291; Fed. R. Civ. P. 54(b); *Vann v. Citicorp Sav. of Ill.*, 891 F.2d 1507, 1509-12 (11th Cir. 1990); *Insinga v. LaBella*, 817 F.2d 1469, 1470 and n.2 (11th Cir. 1987); *Czeremcha v. Int'l Ass'n of Machinists and Aerospace Workers, AFL-CIO*, 724 F.2d 1552, 1554-55 (11th Cir. 1984). Appellant's voluntary dismissal of his remaining claims without prejudice did not render the district court's order and judgment final or immediately appealable. See *Druhan v. Am. Mutual Life*, 166 F.3d 1324, 1326-27 (11th Cir. 1999); *Mesa v. United States*, 61 F.3d 20, 21-22 (11th Cir. 1995).
