

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 11 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DARRYL COTTON, an individual,

Plaintiff-Appellant,

v.

LARRY GERACI, an individual; et al.,

Defendants-Appellees.

No. 21-55519

D.C. No.

3:18-cv-00325-TWR-DEB

Southern District of California,
San Diego

ORDER

Before: SILVERMAN, NGUYEN, and R. NELSON, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the order challenged in the appeal is not final or appealable. *See* Fed. R. Civ. P. 54(b); *Chacon v. Babcock*, 640 F.2d 221, 222 (9th Cir. 1981) (order is not appealable unless it disposes of all claims as to all parties or judgment is entered in compliance with rule); *see also WMX Techs., Inc. v. Miller*, 104 F.3d 1133, 1136 (9th Cir. 1997) (dismissal of complaint with leave to amend is not appealable). Consequently, this appeal is dismissed for lack of jurisdiction.

DISMISSED.