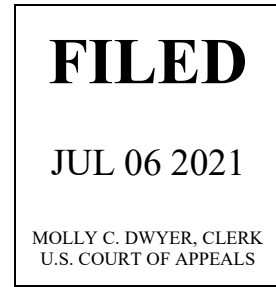


UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT



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
U.S. District Court for Southern
California, San Diego

MANDATE

The judgment of this Court, entered June 11, 2021, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule
41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Rhonda Roberts
Deputy Clerk
Ninth Circuit Rule 27-7

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.