

APPENDIX VIII- Dismissal by the Appeals Court overlooks two Appellate Briefs which justify appeal to 2nd Circuit.

MANDATE

SDNY-NYC
21-cv-7744
Swain, C.J.

United States Court of Appeals
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 3rd day of August, two thousand twenty-two.

Present:

José A. Cabranes.
Joseph F. Bianco.
Alison J. Nathan.
Circuit Judges.

Jason D. Fisher,

Plaintiff-Appellant.

v.

21-3049

Earth Miller Scheinkman, et al.,

Defendants-Appellees.

Appellees Joanne Cambarelli and Guttridge & Cambarelli, PC move to dismiss this appeal. This Court lacks jurisdiction over this appeal because a final order has not been issued by the district court as contemplated by 28 U.S.C. § 1291. See *Sletton v. Am. Express Co.*, 460 F.3d 215, 224 (2d Cir. 2006). Upon due consideration, it is hereby ORDERED that the motion is GRANTED and the appeal is DISMISSED.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court

A True Copy
Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe
MANDATE ISSUED ON 10/05/2022

Catherine O'Hagan Wolfe



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