

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 17-30873

United States Court of Appeals
Fifth Circuit

FILED

August 7, 2018

Lyle W. Cayce
Clerk

PAM MILETELLO,

Plaintiff - Appellant

v.

R M R MECHANICAL, INCORPORATED; SANDRA BELLGARD
MILETELLO,

Defendants - Appellees

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 3:16-CV-1623

Before REAVLEY, GRAVES, and COSTA, Circuit Judges.

PER CURIAM:*

“This Court must examine the basis of its jurisdiction, on its own motion, if necessary.” *Mosley v. Cozby*, 813 F.2d 659, 660 (5th Cir. 1987). “Federal appellate courts have jurisdiction over appeals only from (1) a final decision under 28 U.S.C. § 1291; (2) a decision that is deemed final due to jurisprudential exception or that has been properly certified as final pursuant

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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to FED. R. CIV. P. 54(b); and (3) interlocutory orders that fall into specific classes, 28 U.S.C. § 1292(a), or that have been properly certified for appeal by the district court, 28 U.S.C. § 1292(b).” *Askanase v. Livingwell, Inc.*, 981 F.2d 807, 809–10 (5th Cir. 1993).

The Appellant, Pam Miletello, purports to invoke this court’s jurisdiction under 28 U.S.C. § 1291, which grants the federal courts of appeals jurisdiction over “all final decisions of the district courts of the United States.” A final decision requires the district court to either dispose of all parties and all claims or otherwise expressly permit an appeal under Rule 54(b). *Charles v. Atkins*, 826 F.3d 841, 842 (5th Cir. 2016).

In her complaint, Pam Miletello named three defendants: RMR Mechanical, Inc., Sandra B. Miletello, and The Succession of Gerald Miletello. The district court dismissed Pam’s claims against The Succession of Gerald Miletello and Sandra B. Miletello. However, Pam’s claims against RMR remain, and the district court has not expressly permitted appeal under Rule 54(b). Accordingly, we do not have jurisdiction. The appeal is DISMISSED.