

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

November 8, 2021

Lyle W. Cayce  
Clerk

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No. 21-10241  
Summary Calendar

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THOMAS SAWYER,

*Plaintiff—Appellant,*

*versus*

CARYN DIE; TAMMY MESSIMER; DANIEL A. LAKIN; RUBEN  
SAPIN; MARCIA ODAL; PEPPER BRADBERRY,

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 7:15-CV-92

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Before SMITH, HIGGINSON, and WILLETT, *Circuit Judges.*

PER CURIAM:\*

Thomas Sawyer, Texas prisoner # 579557, filed a 42 U.S.C. § 1983 complaint alleging that the defendants used excessive force and were deliberately indifferent to his serious medical needs. He now appeals and

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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moves to proceed in forma pauperis (IFP). The appellees move to dismiss the appeal for lack of jurisdiction.

We have jurisdiction over final decisions and other decisions covered by the collateral order doctrine. *See* 28 U.S.C. §§ 1291, 1292; *Mohawk Indus., Inc. v. Carpenter*, 558 U.S. 100, 103, 106, 116 (2009); *Askanase v. Livingwell, Inc.*, 981 F.2d 807, 809-10 (5th Cir. 1993). In this case, no final judgment has been entered and there are no immediately appealable orders. Accordingly, we lack jurisdiction over this appeal.

The appellees' motion to dismiss for lack of jurisdiction is GRANTED. Sawyer's motion to proceed IFP is DENIED. The appeal is DISMISSED for lack of jurisdiction.