

United States Court of Appeals for the Fifth Circuit

No. 25-40433

United States Court of Appeals

Fifth Circuit

FILED

February 12, 2026

DANA F. YOUNG,

Lyle W. Cayce
Clerk

Plaintiff—Appellant,

versus

COLLIN COLLEGE,

Defendant—Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:24-CV-979

Before GRAVES, HO, and DOUGLAS, *Circuit Judges.*

PER CURIAM:*

Dana F. Young moves for leave to proceed in forma pauperis (IFP) in her appeal from an interlocutory order dismissing her motion for summary judgment without prejudice as premature. A motion for leave to proceed IFP challenges the district court's determination that an appeal is not taken in good faith. *Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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“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). A timely notice of appeal in a civil case is a prerequisite for appellate jurisdiction. *See Bowles v. Russell*, 551 U.S. 205, 213-14 (2007).

We do not have jurisdiction over Young’s interlocutory appeal of the dismissal of her motion for summary judgment. *See Tamez v. City of San Marcos*, 62 F.3d 123, 124 (5th Cir. 1995). Further, “a notice of appeal from a clearly interlocutory decision” does not “serve as a notice of appeal from the final judgment.” *FirsTier Mortg. Co. v. Invs. Mortg. Ins. Co.*, 498 U.S. 269, 276 (1991). Because Young has not appealed from the district court’s final judgment, which was entered on October 24, 2025, we lack jurisdiction over the instant appeal. *See Bowles*, 551 U.S. at 213-14; FED. R. APP. P. 4(a)(1)(A).

Accordingly, the appeal is DISMISSED for lack of jurisdiction. The IFP motion is DENIED as moot.