

United States Court of Appeals for the Fifth Circuit

No. 25-40617
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

February 10, 2026

Lyle W. Cayce
Clerk

NDEM ODUU,

Petitioner—Appellant,

versus

ERIC GUERRERO, *Director, Texas Department of Criminal Justice,*
Correctional Institutions Division,

Respondent—Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:25-CV-250

Before JONES, RICHMAN, and RAMIREZ, *Circuit Judges.*

PER CURIAM:*

Ndem Oduu, federal prisoner # 05855-095, has moved to dismiss his appeal without prejudice. The document from which he filed an appeal was a proposed order attached to the respondent's answer to his 28 U.S.C. § 2241 petition. Because the document from which Oduu has appealed was not an order, and the district court has issued no other order or judgment—final or

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

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otherwise—to which his appeal could apply, we lack jurisdiction to consider this appeal. *See* 28 U.S.C. § 1291; *Askanase v. Livingwell, Inc.*, 981 F.2d 807, 809-10 (5th Cir. 1993). Accordingly, we GRANT the motion and dismiss the appeal WITHOUT PREJUDICE.