

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-12750

Non-Argument Calendar

RODNEY BERRY,

Plaintiff-Appellant,

versus

JOHN / JANE DOE,
Warden, FCC Coleman Medium, et al.,

Defendants,

ALLISON MURPHY,
Nurse, in her Individual and Official Capacity,
UNITED STATES OF AMERICA,
RICHARD LI,
Primary Care Provider, in his Individual

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and Official Capacity,

K. GOMEZ,

Clinical Director, in his Individual and Official Capacity,

L. MIRANDA,

Family Nurse Practitioner (FNP), in his Individual

and Official Capacity,

MARI LASSALLE,

RN, in her Individual and Official Capacity,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 5:21-cv-00351-BJD-PRL

Before JORDAN, NEWSOM, and BRASHER, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Rodney Berry, a federal prisoner proceeding *pro se*, appeals from the district court's order and judgment in favor of five out of six named defendants. The order and judgment are not final and appealable, however, because the district court has not yet resolved the rights and liabilities of the United States and did not certify its judgment for immediate appeal. *See* 28 U.S.C. §§ 1291, 1292(b);

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Fed. R. Civ. P. 54(b); *Acheron Cap., Ltd. v. Mukamal*, 22 F.4th 979, 986 (11th Cir. 2022); *Supreme Fuels Trading FZE v. Sargeant*, 689 F.3d 1244, 1246 (11th Cir. 2012).

No petition for rehearing may be filed unless it complies with the timing and other requirements of 11th Cir. R. 40-3 and all other applicable rules.