

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 21-1774**

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CAROL ANN KRUS,

Plaintiff - Appellee,

v.

DENNIS KRUS,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Baltimore.  
George L. Russell, III, District Judge. (1:20-cv-00740-GLR)

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Submitted: September 10, 2021

Decided: November 12, 2021

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Before GREGORY, Chief Judge, WILKINSON, and RICHARDSON, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Dennis Krus, Appellant Pro Se. John J. Miravich, FOX ROTHSCHILD LLP, Exton,  
Pennsylvania, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dennis Krus seeks to appeal the district court's order granting summary judgment in favor of Carol Ann Krus. Carol Krus has moved to dismiss the appeal for lack of jurisdiction. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). Generally, "a final decision is one that ends the litigation on the merits and leaves nothing for the court to do but execute the judgment." *Ray Haluch Gravel Co. v. Cent. Pension Fund of Int'l Union of Operating Eng'rs & Participating Emps.*, 571 U.S. 177, 183 (2014) (internal quotation marks omitted); see *Hixson v. Moran*, 1 F.4th 297, 301 (4th Cir. 2021) ("Ordinarily, a district court order is not final until it has resolved *all* claims as to all parties." (internal quotation marks omitted)).

Our review of the record reveals that the district court did not adjudicate all of the issues raised in the case. Specifically, the district court did not fix the amount of damages owed, and it expressly stated that it would not enter a final judgment in the case until it did so. We therefore conclude that the order Dennis Krus seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See *Calderon v. GEICO Gen. Ins. Co.*, 754 F.3d 201, 204, 207 (4th Cir. 2014) (explaining that "a judgment on liability that does not fix damages is not a final judgment because the assessment of damages is part of the merits of the claim that must be determined" (internal quotation marks omitted)). Accordingly, we dismiss the appeal for lack of jurisdiction.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*DISMISSED*