

United States Court of Appeals
For the Eighth Circuit

No. 13-3504

Matthew W. Barnett

Plaintiff - Appellant

v.

Americom Bank; Direct Express Payment Processing Services; Comerica, Inc.

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Little Rock

Submitted: June 24, 2014

Filed: June 27, 2014

[Unpublished]

Before GRUENDER, BOWMAN, and SHEPHERD, Circuit Judges.

PER CURIAM.

Arkansas inmate Matthew Barnett appeals the district court's¹ interlocutory orders denying his motions for default judgment and for preliminary injunctive relief.

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas.

Upon careful review, we conclude that this court lacks jurisdiction to review the issues presented in this appeal. See Dieser v. Cont'l Cas. Co., 440 F.3d 920, 923 (8th Cir. 2006) (federal courts will raise jurisdictional issues sua sponte). First, the district court's orders denying Barnett's motions for default judgment were not final appealable orders. See Bean v. Dormire, 10 F.3d 538, 539 (8th Cir. 1993) (per curiam) (district court's order denying default judgment is not final appealable order). Second, the district court's denial of preliminary injunctive relief has become moot because a final judgment has been entered against Barnett in the district court. See Brooks v. Roy, No. 12-3175, 2014 WL 715611, at *1 (8th Cir. Feb. 26, 2014) (unpublished per curiam) (interlocutory appeal from denial of preliminary injunctive relief becomes moot once final judgment is entered; appeal from order regarding injunction does not stay other proceedings before district court and does not prevent district court from deciding litigation on merits); see also Beaulieu v. Ludeman, 690 F.3d 1017, 1024 (8th Cir. 2012) (court properly dismisses claim as moot if it has lost its character as present, live controversy; appellate court lacks jurisdiction over cases in which, due to passage of time or change in circumstances, issues presented will no longer be live or parties will not have legally cognizable interest in outcome of litigation). Accordingly, we dismiss this appeal.
