

April 2, 2009

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

RALPH N. LESTER,

Plaintiff - Appellant,

v.

NEW MEXICO BOARD OF BAR
EXAMINERS; CAROL SKIBA,
Executive Director; RANDY
KNUDSON, RAYMOND
HAMILTON, MARTIN LOPEZ,
ANTHONY TUPLER, Admission
Committee members; MIKE
MURPHY,

Defendants - Appellees.

No. 09-2071
(D.C. No. 1:03-CV-00959-MCA-ACT)

ORDER

Before **O'BRIEN, TYMKOVICH, and GORSUCH**, Circuit Judges.

This matter is before the court on the appellant's *pro se* notice of appeal, filed on March 31, 2009.

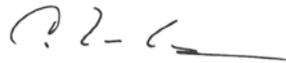
Due to the absence of any order or decision to be reviewed, this court lacks jurisdiction. *See Federal Deposit Insurance Corp. v. McGlamery*, 74 F.3d 218, 221 (10th Cir. 1996) ("Federal appellate jurisdiction generally depends on the existence of a decision by the District Court that 'ends the litigation on the merits

and leaves nothing for the court to do but execute the judgment.’” (quoting *Coopers & Lybrand v. Livesay*, 437 U.S. 463, 467 (1978)).

Appellant’s motions and his request for a hearing remain pending in the district court. Appellant may, of course, file a notice of appeal if the district court denies his motions and hearing request.

APPEAL DISMISSED.

Entered for the Court
ELISABETH SHUMAKER, Clerk of Court



by:

Christine Van Coney
Counsel to the Clerk