

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

May 19, 2014

Elisabeth A. Shumaker
Clerk of Court

MARIO WILLIAMS,

Plaintiff - Appellant,

v.

JUSTIN JONES, Director DOC; TIM
WILKINSON, Warden; BRIAN
WIDEMAN, Chaplain,

Defendants - Appellees.

No. 14-7038
(D.C. No. 6:13-CV-00206-RAW-SPS)

ORDER

Before **HOLMES**, **BACHARACH**, and **PHILLIPS**, Circuit Judges.

We raise *sua sponte* the question of whether this court has jurisdiction to consider this appeal. Mario Williams, who is proceeding *pro se*, seeks to appeal the district court's orders denying his motions for class certification and for appointment of counsel.

Neither order is immediately appealable. *See Vallario v. Vandehey*, 554 F.3d 1259, 1261 (10th Cir. 2009) ("No appeal of right exists from a district court's class certification order unless that order dismissed the action or renders a decision on the merits."); *Cotner v. Mason*, 657 F.2d 1390, 1392 (10th Cir. 1981) (holding that orders denying appointment of counsel in civil cases are not immediately appealable as of right). Accordingly, we lack jurisdiction to consider this interlocutory appeal.

Appeal dismissed.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read "Jane K. Castro", with a long horizontal flourish extending to the right.

by: Jane K. Castro
Counsel to the Clerk