

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

June 10, 2014

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

QUINN AARON KLEIN,

Plaintiff - Appellant,

v.

CORRECTIONS CORPORATION OF
AMERICA; MARTY GARRISON; TIM
WILKERSON; W. BURNEY; STACY
STEPHENS; F/N/U HERNANDEZ, Mail
Clerk; DR. FRED STEVEN SANDERS;
RAY LARIMER, RN CHSA; CAROL
FERGUSON,

Defendants - Appellees.

Nos. 14-7043 & 14-7044
(D.C. No. 6:14-CV-00144-JHP-SPS)

ORDER

Before **BRISCOE**, Chief Judge, **O'BRIEN**, and **TYMKOVICH**, Circuit Judges.

We raise *sua sponte* the question of whether this court has jurisdiction to consider these appeals. Pro se plaintiff Quinn Aaron Klein separately appeals two orders entered by the magistrate judge – one staying the proceedings and ordering the defendants to produce a special report, the other striking the plaintiff’s pending motions without prejudice to refiling. Mr. Klein did not move the district judge to review these orders. No final judgment has been entered, and the district court proceedings are ongoing.

Pretrial proceedings in the underlying case were referred to the magistrate judge in accordance with 28 U.S.C. § 636. The orders of a magistrate judge acting pursuant to

this statute are not directly appealable to this court. See 28 U.S.C. § 636(b)(1); *Phillips v. Beierwaltes*, 466 F.3d 1217, 1221 (10th Cir. 2006) (pretrial orders entered by magistrate judges are not final appealable orders but are non-dispositive orders that may be reviewed by district judges pursuant to 28 U.S.C. § 636). Accordingly, we lack jurisdiction to consider these appeals.

Appeals dismissed.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script that reads "Lara Smith".

by: Lara Smith
Counsel to the Clerk