

United States Court of Appeals
For the Eighth Circuit

No. 13-2335

Lucas J. van der Merwe, D.C.

Plaintiff - Appellant

v.

Kathleen Sebelius, Secretary of the United States Department of Health and
Human Services

Defendant - Appellee

Appeal from United States District Court
for the Western District of Arkansas - Fayetteville

Submitted: March 18, 2014

Filed: April 28, 2014

[Unpublished]

Before MURPHY, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Lucas van der Merwe appeals the district court's¹ order denying his motion to dismiss his Medicare overpayment debt. The district court's order is not appealable, as the order is not a final decision and there is no basis to apply the collateral-order doctrine. See 28 U.S.C. § 1291 (courts of appeals have jurisdiction of appeals from final decisions of district courts); Alpine Glass, Inc. v. Country Mut. Ins. Co., 686 F.3d 874, 877 (8th Cir. 2012) (district court's order is final if it ends litigation on merits and leaves nothing more for court to do but execute judgment); Langford v. Norris, 614 F. 3d 445, 454-56 (8th Cir 2010) (interlocutory appeals are exceptional; under collateral-order doctrine, otherwise non-final order is immediately appealable only if it is conclusive, resolves important questions separate from merits, and is effectively unreviewable on appeal from final judgment). Accordingly, we dismiss the appeal for lack of jurisdiction.

¹The Honorable Jimm Larry Hendren, United States District Judge for the Western District of Arkansas.