

FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

June 25, 2013

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker  
Clerk of Court

R. WAYNE KLEIN, the Court-Appointed  
Receiver of U.S. Ventures LC, Winsome  
Investment Trust, and the assets of Robert  
J. Andres and Robert L. Holloway,

Plaintiff - Appellee,

v.

WINGS OVER THE WORLD  
MINISTRIES,

Defendant,

and

TERRY L. HARPER,

Defendant - Appellant.

No. 13-4088  
(D.C. No. 2:12-CV-00023-DN-DBP)

**ORDER**

Before **LUCERO, TYMKOVICH, and MATHESON**, Circuit Judges.

Pro se defendant Terry Harper appeals the district court's order denying his motion to strike the complaint. This court entered an order to show cause as to why the appeal should not be dismissed for lack of appellate jurisdiction. Mr. Harper filed a response. After considering his response and the applicable law, we now dismiss the appeal.

Mr. Harper appeals the May 14, 2013 order of the district court denying his motion to strike the complaint. The district court case remains ongoing. Neither a final order disposing of all claims against all parties nor a final judgment has been entered.

Except in circumstances not applicable here, this court only has jurisdiction to review final decisions of district courts. 28 U.S.C. § 1291. A final decision is one that fully terminates all matters as to all parties and causes of action and leaves nothing for the district court to do but execute the judgment. Quackenbush v. Allstate Ins. Co., 517 U.S. 706, 712 (1996); Harolds Stores, Inc. v. Dillard Dep't Stores, Inc., 82 F.3d 1533, 1541 (10th Cir. 1996). The district court's May 14, 2013 order is not a final decision. We therefore conclude that this court lacks jurisdiction to consider Mr. Harper's appeal at this time.

APPEAL DISMISSED.

Entered for the Court  
ELISABETH A. SHUMAKER, Clerk



by: Lara Smith  
Counsel to the Clerk

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT  
OFFICE OF THE CLERK**

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303) 844-3157

Elisabeth A. Shumaker  
Clerk of Court

June 25, 2013

Douglas E. Cressler  
Chief Deputy Clerk

Terry L. Harper  
1450 Harbor Island Drive  
San Diego, CA 92101

**RE: 13-4088, Klein v. Wings Over the World Ministrie, et al**  
Dist/Ag docket: 2:12-CV-00023-DN-DBP

Dear Appellant:

Enclosed please find an order issued today by the court.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker  
Clerk of the Court

cc: David C. Castleberry  
Aaron C. Garrett  
Wings Over the World Ministries

EAS/sls