

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 20-11533-CC

ESTEBAN PEDRO SAMBOLA HODGSON,

Plaintiff-Appellee,

versus

SEVEN SEAS CRUISES S. DE R. L.,
LLC,
A Foreign For Profit Corporation
d.b.a. Regent Seven Seas Cruises,
VOYAGER VESSEL COMPANY, LLC,
A Delaware Corporation,

Defendants-Appellants.

Appeal from the United States District Court
for the Southern District of Florida

Before: WILSON, ROSENBAUM and LAGOA, Circuit Judges.

BY THE COURT:

Upon review of the record and the parties' responses to the jurisdictional question, we DISMISS this appeal for lack of jurisdiction. The district court's order remanding this action to state court based on a lack of subject-matter jurisdiction is not reviewable. *See* 28 U.S.C. § 1447(d); *New v. Sports & Recreation, Inc.*, 114 F.3d 1092, 1095-96 (11th Cir. 1997). Neither the *Waco* doctrine nor the matter of substantive law exception applies. *See Powerex Corp. v. Reliant Energy Servs., Inc.*, 551 U.S. 224, 235-36 (2007) (stating that the *Waco* doctrine "does not permit an appeal when there is no *order* separate from the unreviewable remand order"); *Calderon*

v. Aerovias Nacionales de Colombia, 929 F.2d 599, 602 (11th Cir. 1991) (explaining that the matter of substantive law exception does not apply where “the substantive issue is intrinsic to the district court’s decision to remand for lack of subject matter jurisdiction”); *In re Loudermilch*, 158 F.3d 1143, 1146 (11th Cir. 1998) (holding that the matter of substantive law exception did not apply because the district court’s substantive determination was essentially jurisdictional because it “served only to explain the court’s decision to remand”).

All pending motions are DENIED as moot. No motion for reconsideration may be filed unless it complies with the timing and other requirements of 11th Cir R. 27-2 and all other applicable rules.