

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 22-13035

Non-Argument Calendar

LOLA M. SMITH,

Plaintiff-Appellant,

versus

SECRETARY, US DEPARTMENT OF THE ARMY,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Alabama
D.C. Docket No. 1:20-cv-00333-RAH-CWB

Before GRANT, BRASHER, and ABUDU, Circuit Judges.

PER CURIAM:

This appeal is **DISMISSED**, *sua sponte*, for lack of jurisdiction. Appellant Lola Smith seeks to appeal from a magistrate judge's denial of her pleading styled "Request for Judicial Notice of Adjudicative Facts." This Court's appellate jurisdiction is limited to final decisions of the district courts. *See* 28 U.S.C. § 1291. Accordingly, unless parties consent to a magistrate judge entering final judgment, we lack jurisdiction to directly review magistrate judge orders, as an appeal from such an order must be taken to the district court. *See* 28 U.S.C. § 636(c); *Donovan v. Sarasota Concrete Co.*, 693 F.2d 1061, 1066–67 (11th Cir. 1982); *United States v. Schultz*, 565 F.3d 1353, 1359 (11th Cir. 2009). The parties here did not consent to the magistrate judge's exercise of jurisdiction. Furthermore, even if the district court ultimately affirms the order, the subsequent affirmance would not cure the premature notice of appeal. *See Perez-Priego v. Alachua Cnty. Clerk of Ct.*, 148 F.3d 1272, 1273 (11th Cir. 1998).