

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-11821

Non-Argument Calendar

AMY HENSON,

Plaintiff-Appellant,

versus

WALKER COUNTY,
LARRY UNDERWOOD,
Former Sheriff of Walker County,
individually and in his official capacity,
SHERIFF, WALKER COUNTY,
TRENT MCCLUSKEY,
Former Jail Administrator,
individually and in his official capacity,
JOSHUA DILL,
in his official capacity,

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JIM UNDERWOOD,
Former Walker County Sheriff,

Defendants-Appellees,

WALKER COUNTY COMMISSION, et al.,

Defendants.

Appeal from the United States District Court
for the Northern District of Alabama
D.C. Docket No. 7:20-cv-00071-LSC

Before JILL PRYOR, GRANT, and ABUDU, Circuit Judges.

PER CURIAM:

The appellees' motion to dismiss this appeal as untimely is GRANTED. Because the district court entered its final order granting the remaining defendant's motion for summary judgment in a document apart from a memorandum opinion, the separate document requirement for judgments was satisfied. *See* Fed. R. Civ. P. 58(a). Amy Henson was thus required to file a notice of appeal on or before January 13, 2023, which was 30 days following the date judgment was deemed entered on December 14, 2022. *See* 28

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U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A), (7)(A)(ii). However, Henson did not file her notice of appeal until May 30, 2023.

Additionally, Henson did not seek relief from the appeal deadline under Federal Rules of Appellate Procedure 4(a)(5) or 4(a)(6), and there is no basis in the record for such relief. Accordingly, the notice of appeal is untimely and cannot invoke our appellate jurisdiction. *See Green v. Drug Enf't Admin.*, 606 F.3d 1296, 1300 (11th Cir. 2010) (noting that the timely filing of a notice of appeal in a civil case is a jurisdictional requirement, and we cannot entertain an appeal that is out of time).

Accordingly, this appeal is DISMISSED.