

[DO NOT PUBLISH]

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 23-12301

Non-Argument Calendar

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FERRELL W. WALKER, JR.,

Plaintiff-Appellant,

*versus*

EQUIFAX INFORMATION SOLUTIONS, LLC,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Georgia  
D.C. Docket No. 1:21-cv-01045-ELR-JKL

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Before ROSENBAUM, BRASHER, and ABUDU, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Appellant seeks review of the magistrate judge's July 6, 2023 order granting Appellee's motion to compel his deposition. However, we lack jurisdiction to directly review a magistrate judge's order, as an appeal from such an order must be taken to the district court. See 28 U.S.C. § 1291; *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). 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) (holding that a magistrate judge's report and recommendation was not final and appealable where the district court had not adopted it before the notice of appeal was filed).

No petition for rehearing may be filed unless it complies with the timing and other requirements of 11th Cir. R. 40-3 and all other applicable rules.