

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-13316

Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DONELL HATCHER,
a.k.a. Big Al,
a.k.a. Daryl Richardson,
a.k.a. Darryl Wayne Richardson,
a.k.a. Alan Richardson,
a.k.a. A Richardson,
a.k.a. Al,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Alabama
D.C. Docket No. 2:07-cr-00144-KOB-JHE-1

Before JORDAN, JILL PRYOR, and LUCK, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Donell Hatcher appeals from both the district court's July 22, 2021, order denying a writ of error *coram nobis* and its April 19, 2023, order denying reconsideration of the July 22, 2021, order. Because Hatcher's motion for reconsideration was not timely to toll the time to appeal the July 22, 2021, order, the 60-day statutory time limit required him to file a notice of appeal from that order on or before September 20, 2021. *See* 28 U.S.C. § 2107(b); Fed. R. App. P. 4(a)(1)(B), 4(a)(1)(C), 4(a)(4)(A). Similarly, the 60-day statutory time limit required Hatcher to file a notice of appeal from the district court's April 19, 2023, order on or before June 20, 2023. *See* 28 U.S.C. § 2107(b); Fed. R. App. P. 4(a)(1)(B), 26(a)(1)(C). However, Hatcher did not file a notice of appeal until October 6, 2023, past both deadlines. Accordingly, the notice of appeal is untimely and cannot invoke our appellate jurisdiction. *See Hamer v. Neighborhood Hous. Servs. of Chi.*, 138 S. Ct. 13, 21 (2017).

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Opinion of the Court

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All pending motions are DENIED as moot. 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.