

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-13496

Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SHAWN MICHAEL CHALIFOUX,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 6:21-cr-00015-CEM-LHP-1

Before WILSON, GRANT, and ABUDU, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Shawn Chalifoux appeals *pro se* from a magistrate judge's September 19, 2023, order extending his period of commitment in a mental health facility. That order, however, is not final or appealable to this Court, as an appeal from a magistrate judge order must be taken to the district court. See *United States v. Schultz*, 565 F.3d 1353, 1359 (11th Cir. 2009). Even if the district judge ultimately affirms the order, the subsequent affirmance would not cure Chalifoux's premature notice of appeal. See *Perez-Priego v. Alachua Cnty. Clerk of Ct.*, 148 F.3d 1272, 1273 (11th Cir. 1998).

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.