

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 11-15733
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MAY 21, 2012 JOHN LEY CLERK

D.C. Docket No. 1:01-cr-00423-PCH-1

KARL BERNARD BELL,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

Appeal from the United States District Court
for the Southern District of Florida

(May 21, 2012)

Before TJOFLAT, CARNES, and KRAVITCH, Circuit Judges.

PER CURIAM:

On November 18, 2011, we issued an opinion holding that the district court should have dismissed for lack of jurisdiction Karl Bernard Bell's pro se motion to

vacate his sentence, and we remanded for that purpose. United States v. Bell, 447 F. App'x 116, 118 (11th Cir. 2011) (unpublished). Before our mandate issued on January 10, 2012, the district court entered an order dismissing the case. That order is the subject of this appeal, and the district court did not have jurisdiction to enter it. See Zaklama v. Mount Sinai Med. Ctr., 906 F.2d 645, 649 (11th Cir. 1990) (“[A] district court . . . is without jurisdiction to rule in a case that is on appeal, despite a decision by this court, until the mandate has issued.”). The district court’s order is **VACATED**, and the case is **REMANDED**. If the district court’s view of the matter has not changed in the interim, it may reenter its order after the mandate issues for this decision.