[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

————————————————

No. 22-12828

Non-Argument Calendar

————————————————

RAISSA DJUISSI KENGNE,

Plaintiff-Appellant,

versus

GEORGIA POWER COMPANY,

Defendant-Appellee.

————————————————

Appeal from the United States District Court
for the Northern District of Georgia
D.C. Docket No. 1:22-cv-02297-SEG

————————————————

Before WILSON, BRANCH, and GRANT, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Raissa Kengne appeals from the magistrate judge's June 10, 2022, report and recommendation ("R&R") recommending that her complaint be dismissed and denying her application to proceed *in forma pauperis*. Because the R&R had not been adopted by the district court at the time of the filing of the notice of appeal, it was not final and appealable. *See United States v. Schultz*, 565 F.3d 1353, 1359 (11th Cir. 2009) (noting that we lack jurisdiction to hear appeals directly from magistrate judges); *McNab v. J & J Marine, Inc.*, 240 F.3d 1326, 1327-28 (11th Cir. 2001) (explaining that, absent consent to adjudication by a magistrate judge, decisions by a magistrate judge pursuant to 28 U.S.C. § 636(b) are not final orders and may not be appealed until rendered final by a district court). Furthermore, the district judge's subsequent partial adoption of the R&R did not cure the premature notice of appeal. *See Perez-Priego v. Alachua Cnty. Clerk of Ct.*, 148 F.3d 1272, 1273 (11th Cir. 1998) (noting that the court's subsequent adoption of a magistrate judge's R&R does not cure the premature notice of appeal); *Bogle v. Orange Cnty. Bd. of Cnty. Comm'rs*, 162 F.3d 653, 661 (11th Cir. 1998) (explaining that a notice of appeal must designate an already existing judgment or order, not one that is merely expected to be entered).

22-12828   Opinion of the Court   3

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.