

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-10146

Non-Argument Calendar

WASEEM DAKER,

Plaintiff-Appellant,

versus

PATRICK HEAD, et al.,

Defendants,

BRIAN OWENS,
RICK JACOBS,
ROBERT TOOLE,
MR. DELOACH,
FNU,

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Opinion of the Court

23-10146

BETTY BAILEY-DEAN,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Georgia
D.C. Docket No. 6:14-cv-00047-RSB-BWC

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

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Waseem Daker, a Georgia prisoner proceeding *pro se*, appeals from a magistrate judge's order denying his motion for leave to file a motion to vacate the district court's order and judgment dismissing his case with prejudice. The magistrate judge's order is not a final and appealable order because the order had not been rendered final by the district court when Daker filed the notice of appeal. See *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). Accordingly, we lack jurisdiction to review that order.

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.