

[DO NOT PUBLISH]

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 23-11870

Non-Argument Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

*versus*

DANIEL ERIC COBBLE,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Middle District of Georgia  
D.C. Docket No. 5:14-cr-00077-CDL-CHW-1

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Before WILSON, JILL PRYOR, and GRANT, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Daniel Eric Cobble appeals from the magistrate judge's May 16, 2023 order denying his motions for postjudgment criminal relief. However, we lack jurisdiction to directly review a magistrate judge's order, as an appeal from such an order must be taken to the district court first. *See* 28 U.S.C. § 1291; *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). Even if the district court ultimately overrules Cobble's objections and affirms the order, the subsequent affirmance would not cure the premature notice of appeal. *See Perez-Priego v. Alachua Cnty. Clerk of Ct.*, 148 F.3d 1272, 1273 (11th Cir. 1998) (holding that magistrate judge's report and recommendation was not final and appealable where the district court had not adopted it before the notice of appeal was filed).

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.