

[DO NOT PUBLISH]

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 23-13140

Non-Argument Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

*versus*

DANTE SHEROD HAMPTON,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Middle District of Florida  
D.C. Docket No. 6:19-cr-00237-RBD-GJK-1

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Before NEWSOM, BRASHER, and ABUDU, Circuit Judges.

PER CURIAM:

The government's motion to dismiss this appeal as untimely is GRANTED, and this appeal is DISMISSED. Dante Hampton's notice of appeal, deemed filed on September 19, 2023, is untimely to appeal from the February 26, 2020 final criminal judgment. *See* Fed. R. App. P. 4(b)(1)(A) (providing that a defendant's notice of appeal must be filed within 14 days after entry of the appealed judgment or order); *United States v. Lopez*, 562 F.3d 1309, 1312-13 (11th Cir. 2009) (holding that the time limit in Rule 4(b)(1)(A) is a non-jurisdictional claims-processing rule that we must enforce if raised by the government). The government did not forfeit its ability to challenge the timeliness of this appeal because it moved to dismiss the appeal as untimely prior to filing its appellate response brief. *See Lopez*, 562 F.3d at 1313-14.