

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 24-11678

Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUSTIN LEWIS,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 5:19-cr-00005-JA-PRL-1

Before JORDAN, LUCK, and ABUDU, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Justin Lewis, proceeding *pro se*, appeals from the district court's denial of his motions for (1) arrest of judgment, (2) reconsideration of the order denying his motion for judgment of acquittal, and (3) a new trial. The court's denial of those motions is the subject of this appeal, No. 24-11678. Lewis also appeals, via a separate notice of appeal, from the final judgment in the criminal proceedings in No. 24-11679.

We lack jurisdiction over this appeal because the order denying Lewis' motions was not final at the time that Lewis filed his notices of appeal that initiated this appeal. *See* 28 U.S.C. § 1291; *United States v. Gullede*, 739 F.2d 572, 584 (11th Cir. 1984); *Flanagan v. United States*, 465 U.S. 259, 263 (1984). That is because Lewis filed the relevant notices during his sentencing hearing before the court pronounced the sentence. *See United States v. Curry*, 760 F.2d 1079, 1079 (11th Cir. 1985). *See also Robinson v. Tanner*, 798 F.2d 1378, 1385 (11th Cir. 1986) ("A premature notice of appeal filed from an interlocutory order that is not immediately appealable is not cured by a subsequent final judgment.").

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.