

In the
United States Court of Appeals
For the Eleventh Circuit

No. 24-11785

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CARLA JACKSON,
TELDRIN FOSTER,

Defendants-Appellants.

Appeal from the United States District Court
for the Northern District of Georgia
D.C. Docket No. 1:20-cr-00296-JPB-CMS-5

Before JORDAN and LUCK, Circuit Judges.

BY THE COURT:

Teldrin Foster has filed two appeals in this criminal action. His first appeal is from the July 27, 2024, final judgment for his convictions and sentence. On November 1, 2024, he filed a second appeal from the district court's October 28, 2024, order denying his motion for a new trial.

A jurisdictional question asked the parties whether Foster has standing to appeal the October 28 order. Foster responds that he has standing to appeal his convictions and sentence because they aggrieved him. The government responds that Foster does not have standing to appeal the October 28 order.

Foster does not have standing to appeal the October 28 order because he expressly requested the district court to deny his motion for a new trial, and the district court granted his request without any deviation. *See Wolff v. Cash 4 Titles*, 351 F.3d 1348, 1353 (11th Cir. 2003); *United States v. Pavlenko*, 921 F.3d 1286, 1289 (11th Cir. 2019). On the other hand, Foster has standing to appeal the final judgment because he was aggrieved by his convictions and sentence of imprisonment. *See Wolff*, 351 F.3d at 1353-54; *Nationwide Mut. Ins. Co. v. Barrow*, 29 F.4th 1299, 1301 (11th Cir. 2022).

Accordingly, this appeal is DISMISSED IN PART as to the October 28, 2024, order and may proceed as to Foster's convictions and sentence.