

[DO NOT PUBLISH]

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 24-12813

Non-Argument Calendar

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BENJAMIN FRANKLIN,

Plaintiff-Appellant,

*versus*

THE CITY OF WARNER ROBINS,  
SERGEANT TIMOTHY T. PIPPIO,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Middle District of Georgia  
D.C. Docket No. 5:23-cv-00184-MTT

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Before ROSENBAUM, LUCK, and BRASHER, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Benjamin Franklin appeals from the district court's order that entered summary judgment in favor of the defendants as to his federal law claims and dismissed without prejudice his state law claims.

We lack jurisdiction over this appeal because Franklin's notice of appeal is untimely. *See Green v. Drug Enft Admin.*, 606 F.3d 1296, 1300 (11th Cir. 2010). The deadline for filing a notice of appeal was August 9, 2024, and Franklin did not file his notice of appeal until August 30, 2024. *See* 28 U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A). Franklin is not entitled to relief under Fed. R. App. P. 4(a)(5) or 4(a)(6) because he did not file a motion to extend or assert that he did not receive timely notice of the final order or judgment. *See* 28 U.S.C. § 2107(c); Fed. R. App. P. 4(a)(5)(A), 4(a)(6); *Sanders v. United States*, 113 F.3d 184, 187 (11th Cir. 1997).

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.