

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 24-14243

Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LAQUISHA MCFARLAND,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Florida
D.C. Docket No. 3:23-cr-00005-TKW-3

Before BRANCH, LUCK, and LAGOA, Circuit Judges.

PER CURIAM:

The government has moved to dismiss this appeal as untimely. Laquisha McFarland's notice of appeal, deemed filed on December 18, 2024, under the prison mailbox rule, is untimely to challenge the district court's August 20, 2024, order striking her third reply to the government's response to her motion for compassionate release. *See* Fed. R. App. P. 4(b)(1)(A) (providing that in criminal cases, a defendant's notice of appeal must be filed within 14 days after the entry of the judgment or order being appealed); *United States v. Lopez*, 562 F.3d 1309, 1312-14 (11th Cir. 2009) (holding that we must apply Rule 4(b)'s 14-day time limit when the government objects to an untimely notice of appeal); *Jeffries v. United States*, 748 F.3d 1310, 1314 (11th Cir. 2014) (holding that a *pro se* prisoner's notice of appeal is deemed filed on the date he delivers it to prison authorities, and absent contrary evidence, we assume that a prisoner delivers a filing on the date he signs it).

Accordingly, the government's motion to dismiss is GRANTED, and this appeal is DISMISSED.