

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-10530

Non-Argument Calendar

EVAN MILES,
CENTRAL GEORGIA REALTY LLC,
d.b.a. GTL Real Estate,

Plaintiffs-Appellees,

versus

ELIJAH MALACHI LAMPKIN,
and All Other Occupants,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Georgia
D.C. Docket No. 1:25-cv-00661-JPB

Before NEWSOM, BRANCH, and ABUDU, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Elijah Lampkin appeals directly from the magistrate judge's February 11, 2025 report and recommendation ("R&R") that his case be remanded to state court, but the R&R was not a final or appealable decision. *See* 28 U.S.C. § 1291; *Donovan v. Sarasota Concrete Co.*, 693 F.2d 1061, 1066-67 (11th Cir. 1982) (providing that a magistrate judge's action that has not been adopted by the district court is not final and immediately appealable). Subsequent adoption of the R&R would not cure the premature notice of appeal. *See Perez-Priego v. Alachua Cnty. Clerk of Ct.*, 148 F.3d 1272, 1273 (11th Cir. 1998).

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.