

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-10621

Non-Argument Calendar

JAMES ELLARD,
a.k.a. Howard Samuel James Ellard, Jr,

Plaintiff-Appellant,

versus

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, et
al.,

Defendants,

JORGE ALVAREZ,
BLOCKER,
Head of Nurses,

UNKNOWN PHARMACIST,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Florida
D.C. Docket No. 5:22-cv-00241-TKW-MJF

Before JILL PRYOR, BRASHER, and KIDD, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. The 30-day statutory time limit required James Ellard, a state prisoner proceeding *pro se*, to file a notice of appeal from the district court's December 16, 2024 final order and judgment on or before January 15, 2025. *See* 28 U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A). Ellard's notice of appeal, however, was not deemed filed, under the prison mailbox rule, until February 18, 2025. *See* Fed. R. App. P. 4(c)(1); *Jeffries v. United States*, 748 F.3d 1310, 1314 (11th Cir. 2014). Accordingly, the notice of appeal is untimely and cannot invoke our appellate jurisdiction. *See Green v. Drug Enf't Admin.*, 606 F.3d 1296, 1300 (11th Cir. 2010).

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Opinion of the Court

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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.