

NOT FOR PUBLICATION

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 25-10633  
Non-Argument Calendar

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UNITED STATES OF AMERICA,

*Plaintiff-Appellee,*

*versus*

LATOSHA STRONG,

*Defendant-Appellant.*

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Appeal from the United States District Court  
for the Middle District of Florida  
D.C. Docket No. 8:24-cr-00152-WFJ-SPF-1

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Before JORDAN, BRASHER, and KIDD, Circuit Judges.

PER CURIAM:

Latosha Strong appeals from an interlocutory magistrate judge order, entered on February 3, 2025, finding her incompetent

to proceed and committing her to the custody of the Attorney General for treatment.

We issued a jurisdictional question to the parties regarding our jurisdiction to directly review magistrate judge orders. The government responded that we should dismiss this appeal as untimely. Because Strong's untimely notice of appeal was filed within the 30-day window in which an extension of time may have been granted under Federal Rule of Appellate Procedure 4(b)(4), we remanded the case to the district court for a determination of whether such an extension was justified. On remand, the district court found that it was not.

A criminal defendant must file a notice of appeal within 14 days after the entry of the judgment or order appealed. Fed. R. App. P. 4(b)(1)(A). If the final day of an appeal period falls on a holiday or weekend, the final day to appeal becomes the next day that is not a holiday or weekend. Fed. R. App. P. 26(a)(1)(C). This time limit is a non-jurisdictional claims-processing rule that we must enforce if the government raises it. *United States v. Lopez*, 562 F.3d 1309, 1312-13 (11th Cir. 2009). A district court can extend the appeal period for 30 days upon a finding of excusable neglect or good cause. Fed. R. App. P. 4(b)(4).

Here, Strong had until February 18, the first business day following expiration of the 14-day period, to appeal from the February 3 order. Fed. R. App. P. 4(b)(1)(A), 26(a)(1)(C). She did not file her notice of appeal until February 26, and the district court determined that an extension of time was not justified. Because

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the government has raised the issue of timeliness, we must enforce the time limit and dismiss this appeal. *See Lopez*, 562 F.3d at 1312-13.

Accordingly, this appeal is DISMISSED as untimely.