

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-11703
Non-Argument Calendar

ALLEN MARTIN,

Plaintiff-Appellant,

versus

EASYKNOCK LLC,
EK REAL ESTATE FUND I LLC,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Alabama
D.C. Docket No. 5:25-cv-00355-LCB

Before ROSENBAUM, GRANT, and DUBINA, Circuit Judges.

PER CURIAM:

In this interlocutory appeal, appellant Allen Martin, proceeding pro se, appeals the district court's denial of his preliminary-injunction motion and his motion for reconsideration under Federal Rule of Civil Procedure 59(e). The motion for reconsideration sought to enjoin EasyKnock, Inc. and EK Real Estate Fund I, LLC, from acting on an eviction ruling by an Alabama court regarding a property located at 388 Pine Grove Road, Madison, Alabama. Having reviewed the record and read the parties' briefs, we dismiss this appeal for lack of jurisdiction.

I.

We review for abuse of discretion a district court's denial of a preliminary injunction. *Wreal, LLC v. Amazon.com, Inc.*, 840 F.3d 1244, 1247 (11th Cir. 2016). "A district court abuses its discretion when its factual findings are clearly erroneous, when it follows improper procedures, when it applies the incorrect legal standard, or when it applies the law in an unreasonable or incorrect manner." *Id.* This standard of review "allows a range of choices for the district court, so long as any choice made by the court does not constitute a clear error of judgment." *Id.* at 1247–48 (quoting *Collegiate Licensing Co. v. Am. Cas. Co. of Reading, Pa.*, 713 F.3d 71, 77 (11th Cir. 2013)). But before reviewing an issue on its merits, we must determine whether we have jurisdiction over the issue. *Nationwide Mut. Ins. Co. v. Barrow*, 29 F.4th 1299, 1301 (11th Cir. 2022). We review jurisdictional issues de novo. *Id.* "If we lack jurisdiction, our only remaining function is to announce that we lack jurisdiction and dismiss the cause." *Id.*

II.

We lack jurisdiction over moot appeals in which there is no live controversy for which we can grant meaningful relief. *Zinni v. ER Sol., Inc.*, 692 F.3d 1162, 1166 (11th Cir. 2012). The controversy can become moot by reason of intervening events. *Al Najjar v. Ashcroft*, 273 F.3d 1330, 1335–36 (11th Cir. 2001) (“If events that occur subsequent to the filing of a lawsuit or an appeal deprive the court of the ability to give the plaintiff or appellant meaningful relief, then the case is moot and must be dismissed.”). We have recognized that an appeal from the denial of a preliminary-injunction motion seeking to enjoin the sale of property was mooted by the property being sold. *Stansell v. Revolutionary Armed Forces of Colom.*, 45 F.4th 1340, 1360–61 (11th Cir. 2022); *see also Bender v. CenTrust Mortg. Corp.*, 51 F.3d 1027, 1029 (11th Cir. 1995) (holding that an appeal from the denial of a motion for a preliminary injunction to enjoin a sale was moot when the sale had already taken place).

Normally, when intervening events moot an appeal, we vacate the unreviewed district court judgment “to prevent its having preclusive effect in subsequent litigation.” *Westmoreland v. Nat’l Transp. Safety Bd.*, 833 F.2d 1461, 1463 (11th Cir. 1987). In this case, Westmoreland sued for the purpose of requiring the defendants to reinstate Westmoreland's Commercial Pilot Certificate. Since Westmoreland had regained her Commercial Pilot Certificate, there was no need for the Court to grant that relief. The administrative order which suspended Westmoreland's commercial pilot privileges lapsed, according to its own terms, once she successfully passed the flight reexamination. Westmoreland argued that a live

controversy remained because she might be disqualified from potential future employment if she had to disclose that her Commercial Pilot Certificate had once been suspended. We found that the possibility of this harm, however, was too speculative to create a cognizable interest in the outcome of the litigation for Westmoreland. *Id.* We thus determined that because the plaintiff failed to establish that the now-moot challenged order would have had “any real continuing effect” on her, it would have been “incongruous” for us to vacate the order. *Id.*

III.

The record demonstrates that because Martin was evicted and the property sold, his requested relief in the preliminary-injunction motion is no longer possible. In the motion, Martin requested that EasyKnock be enjoined from executing or enforcing any eviction, sale, or trespass related to 388 Pine Grove, relief that the court can no longer grant because what Martin requested to be prevented has occurred. Thus, the issue is no longer live because the court cannot grant Martin the relief he sought in his preliminary injunction motion. As such, this appeal is moot, and we lack jurisdiction over the appeal.

APPEAL DISMISSED.