

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-12622
Non-Argument Calendar

SHAUN PATRICK STEWART,

Plaintiff-Appellant,

versus

SUMTER COUNTY FLORIDA,

in their individual and official capacity,

FNU BRUMMIT,

Deputy, in their individual and official capacity,

FNU WETTIAM,

Deputy, in their individual and official capacity,

FNU HOLLIS,

Lieutenant, in their individual and official capacity,

GOVERNOR OF FLORIDA, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 5:24-cv-00489-WWB-PRL

Before JORDAN, BRASHER, and KIDD, Circuit Judges.

PER CURIAM:

Shaun Stewart, pro se, filed a notice of appeal deemed filed on April 15, 2025, under the prison mailbox rule because that is the date he certified that he mailed it to the district court. *See Jeffries v. United States*, 748 F.3d 1310, 1314 (11th Cir. 2014) (explaining that a pro se prisoner's notice of appeal is deemed filed on the date he delivers it to prison authorities for mailing, but if that date is unknown and there is not contrary evidence, the notice is deemed filed on the day that he signed it).

In his notice of appeal, Stewart stated that he is appealing the dismissal of this and other cases and the denial of his motion for appointment of counsel. We thus liberally construe Stewart's notice of appeal as designating, in this case: (1) the February 28, 2025 judgment dismissing this case; and (2) the May 16, 2025 postjudgment order denying his motion for appointment of counsel. *See Campbell v. Air Jam. Ltd.*, 760 F.3d 1165, 1168 (11th Cir. 2014) (explaining that we liberally construe pro se filings).

As to the February 28 judgment, Stewart has already appealed from the judgment and that appeal is pending in appeal number 25-10978. He is not entitled to two appeals from the judgment. *See United States v. Arlt*, 567 F.2d 1295, 1296-97 (5th Cir. 1978)

25-12622

Opinion of the Court

3

(explaining that an appellant “is not entitled to two appeals” from the same judgment); *I.A. Durbin, Inc. v. Jefferson Nat’l Bank*, 793 F.2d 1541, 1551-52 (11th Cir. 1986) (explaining that federal courts may use their inherent administrative power to dismiss duplicative litigation and avoid wasting judicial resources).

Stewart’s notice of appeal is premature and ineffective to appeal from the May 16 postjudgment order because the order had not been entered or announced when Stewart filed the notice on April 15. *See* 28 U.S.C. § 1291 (providing appellate jurisdiction over “final decisions of the district courts”); *Bogle v. Orange Cnty. Bd. of Cnty. Comm’rs*, 162 F.3d 653, 661 (11th Cir. 1998) (explaining that a notice of appeal is ineffective to appeal a contemplated future order or judgment that does not exist at the time the notice of appeal is filed, unless the decision or order was already announced).

Accordingly, this appeal is DISMISSED, sua sponte, as duplicative as to the February 28 judgment and for lack of jurisdiction as to the May 16 order. All pending motions are DENIED as moot.