

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-13058
Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN JERMAINE DUNCAN,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Florida
D.C. Docket No. 0:24-cr-60012-AHS-1

Before GRANT, LAGOA, and ABUDU, Circuit Judges.

PER CURIAM:

The government's motion to dismiss this appeal as untimely is GRANTED, and this appeal is DISMISSED. John Jermaine Duncan's notice of appeal, deemed filed on August 26, 2025, under

the prison mailbox rule, is untimely to appeal from the December 5, 2024, final criminal judgment. *See* Fed. R. App. P. 4(b)(1)(A)(i) (providing that a defendant’s notice of appeal must be filed within 14 days after entry of the appealed judgment or order); Fed. R. App. P. 4(c); *United States v. Lopez*, 562 F.3d 1309, 1313-14 (11th Cir. 2009) (holding that the time limit in Rule 4(b)(1)(A) is a non-jurisdictional claims-processing rule that we must enforce if raised by the government). Because the government has raised the timeliness issue, we “must apply the time limits of Rule 4(b)” and dismiss this appeal. *See Lopez*, 562 F.3d at 1313-14.