

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-14083

Non-Argument Calendar

DAVID ORLANDO NOEL, SR.,

Plaintiff-Appellant,

versus

DISTRICT ATTORNEY - DOUGHERTY COUNTY, CITY OF
ALBANY, GEORGIA,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Georgia
D.C. Docket No. 1:25-cv-00101-LAG-ALS

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

PER CURIAM:

David Orlando Noel, Sr., a Georgia state prisoner proceeding pro se, appeals from the magistrate judge's October 2, 2025,

order and final report and recommendation, which granted him leave to proceed in forma pauperis and recommended that his 42 U.S.C. § 1983 complaint be dismissed.

A magistrate judge's recommendation on a dispositive matter that has not been adopted or otherwise rendered final by the district court at the time the notice of appeal is filed is not final and appealable. *See Perez-Priego v. Alachua Cnty. Clerk of Ct.*, 148 F.3d 1272, 1273 (11th Cir. 1998); 28 U.S.C. §§ 636(b)(1), 1291. Additionally, Noel lacks standing to challenge the magistrate judge's grant of his application for leave to proceed in forma pauperis because that ruling did not injure him in any way. *See Wolff v. Cash 4 Titles*, 351 F.3d 1348, 1353-54 (11th Cir. 2003); *Nationwide Mut. Ins. Co. v. Barrow*, 29 F.4th 1299, 1301 (11th Cir. 2022).

Accordingly, this appeal is DISMISSED, sua sponte, for lack of jurisdiction.