

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 26-12923
Non-Argument Calendar

DONALD EUGENE WARD, JR.,

Petitioner-Appellant,

versus

SECRETARY, DEPARTMENT OF CORRECTIONS,

Respondent-Appellee.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 5:24-cv-00716-WFJ-PRL

Before ROSENBAUM, NEWSOM, and BRANCH, Circuit Judges.

PER CURIAM:

Donald Eugene Ward, Jr., a state prisoner proceeding pro se, appeals the district court's order and judgment dismissing his 28 U.S.C. § 2254 petition for a writ of habeas corpus.

The appeal is untimely. Because judgment was entered on January 6, 2025, the 30-day statutory deadline required Ward to file a notice of appeal on or before February 5, 2025. *See* Fed. R. App. P. 4(a)(1); 28 U.S.C. § 2107(a). But Ward’s notice was not deemed filed until August 10, 2026, which is the date he gave it to prison officials for mailing. *See* Fed. R. App. P. 4(c)(1) (providing that, under the prison mailbox rule, a pro se prisoner’s filing is deemed filed when they deliver it to prison officials for mailing through the prison’s mail system). The notice of appeal is untimely and cannot invoke our appellate jurisdiction. *See Green v. Drug Enf’t Admin*, 606 F.3d 1296, 1300 (11th Cir. 2010).

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