

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-13355
Non-Argument Calendar

CLARENCE MCKINNEY,

Petitioner-Appellant,

versus

STATE ATTORNEY GENERAL OF FLORIDA,

Respondent-Appellee.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 3:25-cv-00762-WWB-MCR

Before BRANCH, GRANT, and LUCK, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, sua sponte, for lack of jurisdiction. The 30-day statutory deadline required Clarence McKinney, a state prisoner proceeding pro se, to file a notice of appeal from

the district court's August 19, 2025 final order and judgment on or before September 18, 2025. *See* 28 U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A). However, McKinney's notice of appeal was not deemed filed, under the prison mailbox rule, until September 19, 2025. *See* Fed. R. App. P. 4(c)(1); *Houston v. Lack*, 487 U.S. 266, 276 (1988). Accordingly, the notice of appeal is untimely and cannot invoke our appellate jurisdiction. *See Green v. Drug Enft Admin.*, 606 F.3d 1296, 1300 (11th Cir. 2010).

All pending motions are DENIED as moot.