

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 19-10896-E

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KETUT PUJAYASA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Florida

Before: WILLIAM PRYOR, NEWSOM and BRANCH, Circuit Judges.

BY THE COURT:

We previously determined that Ketut Pujayasa's notice of appeal, though undated, was untimely. Because the district court denied Pujayasa's motion, filed pursuant to Federal Rule of Criminal Procedure 41(g), on October 19, 2018, his notice of appeal was due on or before December 18, 2018. *See* 28 U.S.C. § 2107(b)(1); Fed. R. App. P. 4(a)(1)(B); *United States v. Potes Ramirez*, 260 F.3d 1310, 1314 (11th Cir. 2001) (concluding that civil time-to-appeal rules apply to post-judgment Rule 41(g) motions). Pujayasa's notice of appeal was not received until March 7, 2019—the same day the district court received his motion to reopen the time to appeal in which he stated that he did not know about the denial of his Rule 41(g) motion until February 8, 2019—after the 60-day period had run.

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part is a list of the names and addresses of the members of the committee who have been elected to the office of the committee.

3. The third part is a list of the names and addresses of the members of the committee who have been elected to the office of the committee.

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9. The ninth part is a list of the names and addresses of the members of the committee who have been elected to the office of the committee.

10. The tenth part is a list of the names and addresses of the members of the committee who have been elected to the office of the committee.

However, we remanded this action to the district court for the limited purpose of determining whether Pujayasa was entitled to a reopening of the appeal period under Federal Rule of Appellate Procedure 4(a)(6). On remand, the district court concluded that Pujayasa's Rule 4(a)(6) motion was filed on March 7, 2019, which was more than 14 days after he received notice of the October 19, 2018 order on February 8, 2019. Because Pujayasa did not file his Rule 4(a)(6) motion within 14 days of receiving notice of the October 19, 2018 order, he is not eligible for relief under Rule 4(a)(6). See Fed. R. App. P. 4(a)(6). As a result, his notice of appeal is untimely, and this Court lacks jurisdiction over his appeal. See 28 U.S.C. § 2107(b)(1); *Hamer v. Neighborhood Hous. Servs. of Chicago*, 138 S. Ct. 13, 21 (2017); *Green v. Drug Enforcement Admin.*, 606 F.3d 1296, 1300-02 (11th Cir. 2010). Accordingly, this appeal is DISMISSED.

All pending motions are DENIED as moot. No motion for reconsideration may be filed unless it complies with the timing and other requirements of 11th Cir. R. 27-2 and all other applicable rules.

