

APPEAL NO. 22-12038 and 22-12411

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

WILLIAM M. WINDSOR,
Plaintiff – Appellant,

versus

JAMES N. HATTEN, et al,
Defendants

**Appeal from the United States District Court
for the Northern District of Georgia, Atlanta Division
D.C. Docket No. 1:11-CV-01923-TWT
Judge Thomas Woodrow Thrash**

**APPELLANT’S PETITION FOR REHEARING
AND EN BANC DETERMINATION**

APPENDIX 132

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PRO SE FOR PLAINTIFF/ APPELLANT, WILLIAM M. WINDSOR

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

Nos. 22-12038-J; 22-12411-J

WILLIAM M. WINDSOR,

Plaintiff-Appellant,

versus

JAMES N. HATTEN, et al.,

Defendants,

B. GRUTBY,
JUDGE WILLIAM S. DUFFEY, JR.,
JUDGE ORINDA D. EVANS,
JUDGE JULIE E. CARNES,
JOHN LEY, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Georgia

Before: JORDAN, JILL PRYOR, and BRASHER, Circuit Judges.

BY THE COURT:

After reviewing the parties' responses to the jurisdictional questions, these appeals are DISMISSED IN PART, to the extent that William Windsor appeals from the district court's (1) July 15, 2011 order granting the filing injunction; (2) February 12, 2018 order modifying the filing injunction; and (3) February 27, 2018 order granting Windsor's motions for leave to file complaints. Rule 4 of the Federal Rules of Appellate Procedure provides that "[i]n a civil case, . . . the notice of appeal required by Rule 3 must be filed with the district clerk within 30 days after

entry of the judgment or order appealed from.” Fed. R. App. P. 4(a)(1)(A). Further, “the timely filing of a notice of appeal in a civil case is a jurisdictional requirement.” *Bowles v. Russell*, 551 U.S. 205, 214 (2007); *see also Green v. Drug Enf’t Admin.*, 606 F.3d 1296, 1300 (11th Cir. 2010) (noting that, in a civil case, the statutory time limit for filing a notice of appeal is a jurisdictional requirement). However, the instant notices of appeal were filed on June 6, 2022 and July 18, 2022—years after the deadline to file a notice of appeal. *See* 28 U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A). Accordingly, we lack jurisdiction to entertain a challenge to the July 15, 2011, February 12, 2018, and February 27, 2018 orders.

Otherwise, this appeal is ALLOWED TO PROCEED as to the district court’s May 26, 2022 and June 30, 2022 orders. The Clerk’s Office is DIRECTED to consolidate these two appeals.

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
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April 13, 2023

William M. Windsor
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Appeal Number: 22-12038-J ; 22-12411 -J
Case Style: William Windsor v. B. Grutby, et al
District Court Docket No: 1:11-cv-01923-TWT

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The enclosed order has been ENTERED.

Clerk's Office Phone Numbers

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