

No. 25-13969-DD

In the
**United States Court of Appeals
for the Eleventh Circuit**

UNITED STATES OF AMERICA,
Plaintiff-Appellant,

v.

TIMOTHY BURKE,
Defendant-Appellee

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
No. 8:24-CR-68-KKM-TGW-1

**UNITED STATES' UNOPPOSED MOTION TO
DISMISS APPEAL**

GREGORY W. KEHOE
United States Attorney

DAVID P. RHODES
Assistant United States Attorney
Chief, Appellate Division
Florida Bar No. 438741
400 N. Tampa St., Ste. 3200
Tampa, FL 33602
(813) 274-6000

September 9, 2026

In the United States Court of Appeals
for the Eleventh Circuit

UNITED STATES OF AMERICA,
Plaintiff-Appellant,

v.

No. 25-13969-DD

TIMOTHY BURKE,
Defendant-Appellee

United States' Unopposed Motion to Dismiss Appeal

The United States moves to dismiss its appeal. Opposing counsel does not oppose the motion.

Respectfully submitted,

GREGORY W. KEHOE
United States Attorney

By: s/ David P. Rhodes
DAVID P. RHODES
Assistant United States Attorney
Chief, Appellate Division
Florida Bar No. 438741
400 N. Tampa St., Ste. 3200
Tampa, FL 33602
(813) 274-6000
david.rhodes@usdoj.gov

Certificate of Compliance with Type-Volume Limitation

This motion, which contains 22 countable words, complies with Fed. R. App. P. 27(d)(2)(A) and Fed. R. App. P. 32(a)(5) and (6).



TheDesk.net

Certificate of Service

I certify that on September 9, 2026, I electronically filed this document with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following:

MICHAEL MADDUX, ESQ.
Counsel for Timothy Burke

s/ David P. Rhodes

DAVID P. RHODES

Assistant United States Attorney