

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

NAZIR KHAN,
Plaintiff-Appellant

IFTIKHAR KHAN,
Plaintiff

v.

MERIT MEDICAL SYSTEMS, INC.,
Defendant-Appellee

2026-1334

Appeal from the United States District Court for the
District of Utah in No. 2:21-cv-00337-HCN-CMR, Judge
Howard C. Nielson, Jr.

ON MOTION

Before DYK, REYNA, and HUGHES, *Circuit Judges*.

PER CURIAM.

O R D E R

Merit Medical Systems, Inc. moves to dismiss this appeal, which Nazir Khan opposes. We dismiss.

This court previously affirmed the dismissal of Mr. Khan's complaint against Merit Medical. *Khan v. Merit Med. Sys., Inc.*, No. 2023-2329, 2024 WL 3421395 (Fed. Cir. July 16, 2024). On November 24, 2025, the district court denied several of Mr. Khan's post-judgment motions, which appear to be based on Rule 60(b) of the Federal Rules of Civil Procedure. On January 11, 2026, Mr. Khan filed a notice of appeal from the November 24, 2025 order.

"[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement." *Bowles v. Russell*, 551 U.S. 205, 214 (2007). In order to be timely, a notice of appeal here had to be filed within 30 days after entry of the judgment or order appealed from, 28 U.S.C. § 2107; Fed. R. App. P. 4. Mr. Khan failed to file his appeal within that jurisdictional deadline. We have considered Mr. Khan's arguments but find none establish our jurisdiction. In particular, while Mr. Khan notes that a district court may, under § 2107, grant a motion to extend the time to appeal, here no such motion was filed, much less granted.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion is granted. The appeal is dismissed.
- (2) Each party shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

April 16, 2026
Date