

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 22-1959**

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NITHYA VINAYAGAM,

Plaintiff - Appellant,

v.

AJAY KUMAR MALPANI; QSI SERVICES, INC.,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. David J. Novak, District Judge. (3:22-cv-00006-DJN)

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Submitted: August 31, 2023

Decided: October 27, 2023

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Before WILKINSON and RUSHING, Circuit Judges, and KEENAN, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Nithya Vinayagam, Appellant Pro Se. Jesse Matthew Bless, BLESS LITIGATION, Georgetown, Massachusetts, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Nithya Vinayagam appeals the district court's order dismissing her complaint alleging claims arising out of her employment with Defendants. Defendants have moved to dismiss the appeal, arguing that Vinayagam did not timely file her notice of appeal. The district court entered the order dismissing Vinayagam's complaint on July 29, 2022, but the district court's 26-page order explaining the reasons for dismissal was not accompanied by a separate document setting forth the court's judgment, as required by Fed. R. Civ. P. 58(a). *See Hughes v. Halifax Cnty. Sch. Bd.*, 823 F.2d 832, 835 (4th Cir. 1987). As a result, the 30-day appeal period under Fed. R. App. P. 4(a)(1)(A) began to run 150 days after entry of the district court's order on the docket. Fed. R. Civ. P. 58(c). Because Vinayagam noted her appeal 41 days after the entry of the district court's order, her appeal was timely. *See CX Reinsurance Co. Ltd. v. Johnson*, 977 F.3d 306, 311 (4th Cir. 2020). We therefore deny Defendants' motion to dismiss.

Nonetheless, we have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order. *Vinayagam v. Malpani*, No. 3:22-cv-00006-DJN (E.D. Va. July 29, 2022). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED*