

United States Court of Appeals
For the Eighth Circuit

No. 16-2107

Andrew Ciesla

Plaintiff - Appellant

v.

C. B. Christian, Trooper

Defendant - Appellee

D. McDaniel, Officer; Pemiscot County, Missouri; City of Hayti, Missouri

Defendants

Appeal from United States District Court
for the Eastern District of Missouri - Cape Girardeau

Submitted: March 28, 2017

Filed: June 8, 2017

[Unpublished]

Before SHEPHERD, MURPHY, and KELLY, Circuit Judges.

PER CURIAM.

Andrew Ciesla appeals following the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action. The district court entered its separate judgment on March 30, 2016, and Ciesla filed his notice of appeal on Saturday, April 30, 2016--more than 30 days later. See Fed. R. App. P. 4(a)(1)(A) (in civil case, notice of appeal must be filed within 30 days after entry of judgment or order appealed from). This court therefore lacks appellate jurisdiction over this untimely appeal. See Dieser v. Cont'l Cas. Co., 440 F.3d 920, 923 (8th Cir. 2006) (requirement of timely notice of appeal is mandatory and jurisdictional; federal court will raise jurisdictional issues sua sponte).

Accordingly, we dismiss the appeal.

¹The Honorable Abbie Crites-Leoni, United States Magistrate Judge for the Eastern District of Missouri, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).