

NOTE: This order is nonprecedential.

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

ORION IP, LLC,
Plaintiff-Appellee,

v.

HYUNDAI MOTOR AMERICA,
Defendant-Appellee,

v.

JONATHAN LEE RICHES,
Movant-Appellant.

2012-1432

Appeal from the United States District Court for the Eastern District of Texas in case no. 05-CV-0322, Chief Judge Leonard Davis.

Before BRYSON, MOORE and O'MALLEY, *Circuit Judges.*

PER CURIAM.

O R D E R

Jonathan Lee Riches appeals the United States District Court for the Eastern District of Texas's denial of his motion to intervene. The court considers whether to dismiss this appeal for lack of jurisdiction.

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On May 10, 2010, the district court denied the appellant's motion to intervene in this patent infringement case, noting that "Riches present[s] no evidence or reasoning for why [he has] an interest in this closed case." The court further enjoined Riches "from submitting for filing any document(s), pleading(s), or letter(s) . . . in any case to which Jonathan Lee Riches is not a named party" absent specific additional submissions. The court received Riches's notice of appeal on June 4, 2012, more than 2 years after the denial of his motion to intervene.

To challenge the district court's order denying his motion for leave to intervene, the appellant should have filed a notice of appeal within 30 days of that order. See *Stringfellow v. Concerned Neighbors In Action*, 480 U.S. 370, 377 (1987) (explaining that an order denying a motion for leave to intervene is subject to immediate review); see also Fed. R. App. P. 4(a)(1)(A) ("[T]he 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."). Because this appeal was filed outside the statutory deadline for taking an appeal to this court, we must dismiss.

Accordingly,

IT IS ORDERED THAT:

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

FOR THE COURT

SEP 20 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Jonathan Lee Riches
Andrew W. Spangler, Esq.

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

SEP 20 2012

JAN HORBALY
CLERK

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Gene C. Schaerr, Esq.

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Issued As A Mandate: SEP 20 2012