

NOTE: This order is nonprecedential.

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

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**MATTIE LOMAX,**  
*Plaintiff-Appellant*

v.

**BAYVIEW LOAN SERVICING, LLC,**  
*Defendant-Appellee*

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2023-1902

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Appeal from the United States District Court for the Southern District of Florida in No. 1:11-cv-22219-MGC, Judge Marcia G. Cooke.

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**ON MOTION**

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PER CURIAM.

**O R D E R**

Mattie Lomax moves to waive Public Access to Court Electronic Records (PACER) fees, ECF No. 4. We deny that request. And having now considered her response to this court's June 2, 2023, order to show cause, we dismiss.

“[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), and, in order to be timely, a notice of appeal must be filed within 30 days after entry of final judgment, 28 U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A). Here, Ms. Lomax filed her notice more than three and half years after the October 2019 order she identified in her notice of appeal. At least because of this untimeliness, we lack jurisdiction over the appeal, and we cannot transfer under 28 U.S.C. § 1631 because the appeal would not be timely in any other court of appeals.

Accordingly,

IT IS ORDERED THAT:

- (1) The appeal is dismissed.
- (2) All pending motions are denied.
- (3) Each side shall bear its own costs.

FOR THE COURT

August 22, 2023  
Date

/s/ Jarrett B. Perlow  
Jarrett B. Perlow  
Clerk of Court