

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 06-2185

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MORRIS E. LEWIS,

Plaintiff - Appellant,

versus

SALLIE MAE CORPORATION (SLM), and Other  
Unnamed Defendants,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Alexandria. Leonie M. Brinkema, District  
Judge. (1:06-mc-00041-LMB)

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Submitted: February 15, 2007

Decided: February 20, 2007

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Before NIEMEYER, KING, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Morris E. Lewis, Appellant Pro Se. Joseph Paul Esposito, AKIN,  
GUMP, STRAUSS, HAUER & FELD, LLP, Washington, D.C., for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Morris E. Lewis appeals the district court's order denying his motion for an extension of time in which to file a notice of appeal pursuant to Fed. R. App. P. 4(a)(5).<sup>\*</sup> Parties in a civil action in which the United States is not a party have thirty days following a final order in which to file a notice of appeal. Fed. R. App. P. 4(a)(1)(A). The only exceptions to the appeal period are when the district court extends the time to appeal based upon excusable neglect under Fed. R. App. P. 4(a)(5), or reopens the appeal period under Fed. R. App. P. 4(a)(6). These time periods are "mandatory and jurisdictional." Browder v. Dir., Dep't of Corr., 434 U.S. 257, 264 (1978) (internal quotations and citations omitted). We review the district court's denial of a motion for an extension of time for abuse of discretion. Thompson v. E.I. DuPont de Nemours & Co., 76 F.3d 530, 532 n.2 (4th Cir. 1996). Our review of the record leads us to conclude that the district court did not abuse its discretion. Accordingly, we affirm. We deny Lewis' "Motion to Supplement Appeals File" and

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<sup>\*</sup>Although Lewis noted only the order denying an extension of time in his notice of appeal, in his informal brief he states that he is appealing the district court's orders dismissing his complaint, denying his motion to amend judgment, and denying his amended motion to amend judgment. The latest of these orders was entered on the district court's docket on August 23, 2006, and Lewis had until September 22, 2006, to file a notice of appeal. He did not file his notice of appeal until October 27, 2006. We therefore lack jurisdiction to consider his arguments related to these orders.

his "Motion to Overcome Dismissal with Prejudice Orders." We dispense with oral argument because the facts and legal conclusions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED