

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-8045

ELDRIDGE V. HILLS,

Plaintiff - Appellant,

versus

SHARON PATTERSON, Disciplinary Hearing Officer; ROBERT EUDY, Correctional Officer at Kershaw Correctional Institution; SERGEANT ROBERTSON; LIEUTENANT SMITH; DERWIN NEISMAN, Major; JON OZMINT, Director of South Carolina Department of Corrections; ROBERT E. WARD, Director of Operations; DAVID M. TATARSKY, General Counsel; KELLI G. MADDOX, Office of General Counsel; MARY D. ANDERSON, Office of General Counsel and Director of Internal Affairs; BUCK ARMSTRONG, Counsel Substitute,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence. Joseph F. Anderson, Jr., Chief District Judge. (4:05-cv-00689)

Submitted: April 19, 2007

Decided: April 24, 2007

Before NIEMEYER, KING, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Eldridge V. Hills, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Elridge V. Hills seeks to appeal the district court's order dismissing his 42 U.S.C. § 1983 (2000) claim for failure to comply with a magistrate judge's order. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded thirty days after the entry of the district court's final judgment or order to note an appeal, Fed. R. App. P. 4(a)(1)(A), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5), or reopens the appeal period under Fed. R. App. P. 4(a)(6). This appeal period is "mandatory and jurisdictional." Browder v. Dir., Dep't of Corr., 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)).

The district court's order was entered on the docket on October 23, 2006. The notice of appeal was filed on November 27, 2006.* Because Hills failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the

*Hills acknowledges that he gave his notice of appeal to prison officials for mailing to the court on this date. Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266 (1988).

materials before the court and argument would not aid the decisional process.

DISMISSED