

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1150

WILLIE JAMES PRICE,

Plaintiff - Appellant,

and

VALERIE YOUNG,

Plaintiff,

versus

RONALD C. MCCORMACK; EDWARD F. HOLLORAN;
RUSSELL D. KNIGHT; GEORGE MILLESON,

Defendants- Appellees,

- - - - -

STAFFORD COUNTY,

Movant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Gerald Bruce Lee, District Judge. (1:01-cv-01212-GBL)

Submitted: May 31, 2007

Decided: June 6, 2007

Before WILKINSON, TRAXLER, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Willie James Price, Appellant Pro Se. John Andrew Basham, MCKENRY, DANCIGERS, DAWSON & LAKE, PC, Virginia Beach, Virginia; Gerard Thomas Schafer, INJURY LAW CENTER, Virginia Beach, Virginia, for Appellees. Russell D. Knight, George Milleson, Appellees Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Willie James Price seeks to appeal the district court's order denying his Motion to Return a False Arrest Bond and his Motion to Set Trial Date by Jury because the underlying action was closed in 2003. 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 May 31, 2006. The notice of appeal was filed on September 7, 2006. Because Price 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 materials before the court and argument would not aid the decisional process.

DISMISSED