

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1236

OSIRIS S. KAFU,

Plaintiff - Appellant,

versus

KELLY SERVICES, INCORPORATED,

Defendant - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Columbia. Cameron McGowan Currie, District Judge. (3:04-cv-23360-CMC)

Submitted: June 21, 2007

Decided: June 27, 2007

Before NIEMEYER, WILLIAMS, and SHEDD, Circuit Judges.

Dismissed in part; affirmed in part by unpublished per curiam opinion.

Osiris S. Kafu, Appellant Pro Se. Henry Scarborough Knight, Jr., CONSTANGY, BROOKS & SMITH, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Osiris S. Kafu seeks to appeal the district court's order adopting the magistrate judge's report and recommendation and granting summary judgment in favor of defendant on his claims of religious and gender discrimination under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e to 2000e-17 (2000). We dismiss in part and affirm in part.

Under Fed. R. App. P. 4(a)(1)(A), a notice of appeal must be filed within thirty days after the judgment or order appealed from is entered. The district court's order dismissing Kafu's claims was entered by the district court on February 7, 2007. Kafu did not file his notice of appeal until March 13, 2007. Accordingly, we find Kafu's appeal of the district court's February 7, 2007 order is untimely, and dismiss the appeal as to that order.

Because the district court's order denying his motions to amend and suppress was entered on February 12, 2007, we find Kafu's notice of appeal was timely as to that order. We nonetheless affirm that order for the reasons stated by the district court. See Kafu v. Kelly Servs., No. 3:04-cv-23360-CMC (D.S.C. Feb. 12, 2007).

Accordingly, we dismiss in part and affirm in part. 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 IN PART; AFFIRMED IN PART