

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-2004

CHARLOTTE L. HAZELETT,

Plaintiff - Appellant,

versus

R. L. BROWNLEE, Acting Secretary Department of
Army,

Defendant - Appellee.

Appeal from the United States District Court for the Southern
District of West Virginia, at Huntington. Joseph R. Goodwin, Chief
District Judge. (3:04-cv-00098)

Submitted: December 13, 2007

Decided: December 18, 2007

Before NIEMEYER, MOTZ, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Charlotte L. Hazelett, Appellant Pro Se. Kelly Rixner Curry,
Assistant United States Attorney, Charleston, West Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charlotte L. Hazelett seeks to appeal the district court's order dismissing her civil action. 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 March 27, 2007. The notice of appeal was filed on October 3, 2007. Because Hazelett 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