

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1464

CHARLIE L. RICHARDSON,

Plaintiff - Appellant,

v.

HARRY E. WILSON, Staff Attorney of Department of Public
Instruction,

Defendant - Appellee,

v.

ROBERT REILLY; W. CLARK GOODMAN; MARK P. HENRIQUES; RICHARD
LEE RAINEY; JIM D. COOLEY; HARRY D. WINKLER; CHARLES J.
WILLIAMS; GRACE MYNATT; MARVIN K. GRAY; CHARLIE WILLIAMS,

Movants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Robert J. Conrad, Jr.,
Chief District Judge. (3:03-cv-00491-RJC-DCK)

Submitted: June 19, 2008

Decided: June 24, 2008

Before WILKINSON, NIEMEYER, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Charlie L. Richardson, Appellant Pro Se. Laura Ellen Crumpler,
NORTH CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina;

Richard Lee Rainey, WOMBLE, CARLYLE, SANDRIDGE & RICE, PLLC,
Charlotte, North Carolina; Grady L. Balentine, Jr., Special Deputy
Attorney General, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charlie L. Richardson seeks to appeal the district court's order denying his post-judgment motions following the denial of relief on his civil complaint. 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 18, 2008. The notice of appeal was filed on April 18, 2008. Because Richardson 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