

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-5169

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAMON R. HOPE,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Rock Hill. Margaret B. Seymour, District Judge. (0:05-cr-00095-MBS-1)

Submitted: February 18, 2009

Decided: March 12, 2009

Before WILKINSON, KING, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Thomas Edward Vanderbloemen, GALLIVAN, WHITE & BOYD, PA, Greenville, South Carolina, for Appellant. James Chris Leventis, Jr., OFFICE OF THE UNITED STATES ATTORNEY, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ramon R. Hope seeks to appeal his conviction and sentence. In criminal cases, the defendant must file the notice of appeal within ten days after the entry of judgment. Fed. R. App. P. 4(b)(1)(A). With or without a motion, upon a showing of excusable neglect or good cause, the district court may grant an extension of up to thirty days to file a notice of appeal. Fed. R. App. P. 4(b)(4); United States v. Reyes, 759 F.2d 351, 353 (4th Cir. 1985).

The district court entered judgment on October 19, 2006. The notice of appeal was filed on November 24, 2008. Because Hope failed to file a timely notice of appeal or to obtain an extension 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

* To the extent Hope's notice of appeal relates to the district court's November 13, 2008 order denying his request for an extension of time in which to file a 28 U.S.C.A. § 2255 motion, the order Hope seeks to appeal is a non-appealable interlocutory order, and this court is without jurisdiction to consider it.