

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6997

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

STANLEY A. SLUPKOWSKI,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Senior District Judge. (1:93-cr-00219)

Submitted: July 31, 2008

Decided: August 11, 2008

Before NIEMEYER, TRAXLER, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Stanley A. Slupkowski, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Stanley A. Slupkowski seeks to appeal the district court's order granting the government's motion to dismiss the pending indictment against him. 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 June 14, 1994. The notice of appeal was filed on May 20, 2008. Because Slupkowski 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