

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1771

CYNTHIA ROSEBERRY-ANDREWS,

Plaintiff - Appellant,

v.

SCHELL & KAMPETER, INC., d/b/a Diamond Pet Foods, Inc.;
DIAMOND PET FOODS, INC.,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. George Jarrod Hazel, District Judge.
(8:15-cv-01503-GJH)

Submitted: December 15, 2016

Decided: December 19, 2016

Before SHEDD, DUNCAN, and AGEE, Circuit Judges.

Remanded by unpublished per curiam opinion.

Cynthia Roseberry-Andrews, Appellant Pro Se. Mark J. Strong,
LAW OFFICES OF JONATHAN P. STEBENNE, Baltimore, Maryland, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cynthia Roseberry-Andrews seeks to appeal the district court's order dismissing her complaint without prejudice. Parties are accorded 30 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).

The district court's order was entered on the docket on May 2, 2016. The notice of appeal was filed on July 1, 2016. On September 19, 2016, the Appellees filed a motion to dismiss the appeal. On September 26, 2016, Roseberry-Andrews filed a motion in the district court to enlarge the appeal period. Because that motion remains pending, we remand this case to the district court for the limited purpose of deciding the motion. The record, as supplemented, will then be returned to this court for further consideration. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

REMANDED