

UNPUBLISHED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.

No. 17-1167

CYNTHIA ROSEBERRY-ANDREWS,

Plaintiff - Appellant,

v.

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

Defendants - Appellees.

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

Submitted: March 9, 2017

Decided: March 14, 2017

Before SHEDD, DUNCAN, and AGEE, Circuit Judges.

No. 16-1771 dismissed; No. 17-1167 affirmed by unpublished per curiam opinion.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Unpublished opinions are not binding precedent in this circuit.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:

In these consolidated appeals, Cynthia Roseberry-Andrews seeks to appeal the district court's orders dismissing her complaint without prejudice and denying her motion for an enlargement of the appeal period. We grant the Appellees' motion to dismiss the appeal and dismiss the appeal in No. 16-1771 for lack of jurisdiction because the notice of appeal was not timely filed and the district court denied Roseberry-Andrews' motion to enlarge the appeal period. We affirm the court's order in No. 17-1167 denying Roseberry-Andrews' motion to enlarge the appeal period.

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). "[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement." Bowles v. Russell, 551 U.S. 205, 214 (2007).

The district court's order was entered on the docket on May 2, 2016. The notice of appeal was filed on July 1, 2016, beyond the 30-day appeal period. The court subsequently denied Roseberry-Andrews' motion to enlarge the appeal period. Because Roseberry-Andrews failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we grant

the Appellees' motion to dismiss and dismiss the appeal in No. 16-1771.

We review the denial of a motion to enlarge the time to appeal for abuse of discretion. See Thompson v. E.I. DuPont de Nemours & Co., Inc., 76 F.3d 530, 532 (4th Cir. 1996) (reviewing district court's denial of motion for an enlargement of time to file an appeal for abuse of discretion). We conclude that the district court did not abuse its discretion denying Roseberry-Andrews' motion for an enlargement of time to file an appeal. Accordingly, we affirm the court's order in No. 17-1167.

We grant the Appellees' motion to dismiss and dismiss the appeal in No. 16-1771. We affirm the district court's order in No. 17-1167. 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.

No. 16-1771 DISMISSED;
No. 17-1167 AFFIRMED