

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-1482**

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EUN O. KIM; CHIN KIM; DANIEL I. KIM; GOOM Y. PARK; GYEASOOK KIM; KAP J. CHUNG; LENA KIM; MI YOUNG KIM; MYONG HO NAM; YOUN HWAN KIM; YOUNG JOO KANG; ALAN YOUNG CHENG; SHUI QUI ZHANG; EVA YIHUA TU; HELENA LEE; KI N. LEE; SUN H. LEE; KWANG BAG LEE; KWANGJON KIM; NAM DOLL HUH,

Plaintiffs - Appellants,

and

AMY HSIANG-CHI TONG; HONG S. CHUNG,

Plaintiffs,

v.

PARCEL K- TUDOR HALL FARM LLC,

Defendant - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt.  
Peter J. Messitte, Senior District Judge. (8:09-cv-01572-PJM)

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Submitted: October 19, 2023

Decided: October 23, 2023

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Before KING and WYNN, Circuit Judges, and TRAXLER, Senior Circuit Judge.

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Dismissed in part and affirmed in part by unpublished per curiam opinion.

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Eun O. Kim, Chin Kim, Daniel I. Kim, Goom Y. Park, Gyeasook Kim, Kap J. Chung, Lena Kim, Mi Young Kim, Myong Ho Nam, Youn Hwan Kim, Young Joo Kang, Alan Young Cheng, Shui Qui Zhang, Eva Yihua Tu, Helena Lee, Ki N. Lee, Sun H. Lee, Kwang Bag Lee, Kwangjon Kim, Nam Doll Huh, Appellants Pro Se. Stephen Ari Metz, OFFIT KURMAN, PA, Bethesda, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Appellants—a group of 20 individual investors—seek to appeal the district court’s order granting Appellee Parcel K- Tudor Hall Farm LLC’s motion to reopen and granting in part Appellee’s motion for authority to transfer, as well as the court’s subsequent order denying Appellants’ motion to reconsider that order. We dismiss the appeal in part and affirm in part.

In civil cases, parties have 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 entered its order granting the motion to reopen and granting in part the motion for authority to transfer on August 1, 2022. Appellants filed their motion to reconsider on March 16, 2023—more than 28 days after entry of the underlying order—and filed the notice of appeal on April 27, 2023. Because Appellants failed to timely appeal or to obtain an extension or reopening of the appeal period as to the August 2022 order, we dismiss the appeal as to that order. *See* Fed. R. App. P. 4(a)(4)(A)(vi); *Aikens v. Ingram*, 652 F.3d 496, 501 (4th Cir. 2011) (en banc) (“[A]n appeal from denial of Rule 60(b) relief does not bring up the underlying judgment for review.” (internal quotation marks omitted)).

As to the district court’s order denying Appellants’ motion to reconsider, we review for abuse of discretion the denial of such motions under Fed. R. Civ. P. 60(b). *See Aikens*, 652 F.3d at 501. “A motion under Rule 60(b) must be made within a reasonable time”

after entry of the underlying judgment or order. Fed. R. Civ. P. 60(c)(1). Upon review, we discern no abuse of discretion in the district court's denial of Appellants' motion. We therefore affirm the district court's order. *Kim v. Nyce*, No. 8:09-cv-01572-PJM (D. Md. Mar. 29, 2023).

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.

*DISMISSED IN PART,  
AFFIRMED IN PART*