

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

October 24, 2007

No. 05-11148
Conference Calendar

Charles R. Fulbruge III
Clerk

ERIC J TEMPLETON

Plaintiff-Appellant

v.

TARRANT COUNTY JAIL, Medical Facility

Defendant-Appellee

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:05-CV-121

Before JOLLY, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

Eric J. Templeton, Texas prisoner # 1285304, appeals the dismissal of his 42 U.S.C. § 1983 complaint for failure to comply with the district court's order that he file an amended complaint. He also appeals the district court's order denying his motion to abate the judgment.

A timely notice of appeal in a civil case is mandatory and jurisdictional. *Bowles v. Russell*, 127 S. Ct. 2360, 2363-66 (2007). Templeton did not file a

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

timely notice of appeal. See FED. R. APP. P. 4(a). Accordingly, this court lacks jurisdiction over the appeal. See Bowles, 127 S. Ct. at 2363-66.

APPEAL DISMISSED.