

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 19 2015

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

VERA DRAGICEVICH,

Plaintiff - Appellant,

v.

J.P. MORGAN CHASE BANK, N.A.,
individually and as successor by merger to
Chase Home Finance LLC; CALIFORNIA
RECONVEYANCE COMPANY,

Defendants - Appellees.

No. 13-56568

D.C. No. 2:12-cv-08192-ABC-
MAN

MEMORANDUM*

VERA DRAGICEVICH,

Plaintiff - Appellant,

v.

J.P. MORGAN CHASE BANK, N.A.,
individually and as successor by merger to
Chase Home Finance LLC; CALIFORNIA
RECONVEYANCE COMPANY,

Defendants - Appellees.

No. 14-55177

D.C. No. 2:12-cv-08192-ABC-
MAN

Appeal from the United States District Court
for the Central District of California
Audrey B. Collins, District Judge, Presiding

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

Argued and Submitted November 5, 2015
Pasadena, California

Before: GRABER and GOULD, Circuit Judges and DANIEL,** Senior District Judge.

Plaintiff appeals the district court's entry of summary judgment in favor of JP Morgan Chase Bank and the district court's denial of her motion to extend time to file an appeal. We dismiss the merits appeal as untimely filed, and we affirm the district court's denial of Plaintiff's Federal Rule of Appellate Procedure 4(a)(5) order. We also dissolve the October 30, 2015 injunction.

1. In No. 13-56568, which is the appeal of the summary judgment, we dismiss the appeal as untimely filed. The docket sheet for this matter shows that the notice of appeal was "filed" (as well as entered on the docket) on "09/06/2013," even though the document was dated September 3, 2013. A timely notice of appeal is mandatory and jurisdictional. Bowles v. Russell, 551 U.S. 205, 214 (2007).

2. In No. 14-55177, which is the appeal from the district court's denial of Plaintiff's Rule 4(a)(5) motion, we affirm. We review a district court's denial of a motion to extend time to file an appeal, as well as the application of its own local

** The Honorable Wiley Y. Daniel, Senior District Judge for the U.S. District Court for Colorado, sitting by designation.

rules, for abuse of discretion. Prof'l Programs Grp. v. Dep't of Commerce, 29 F.3d 1349, 1353 (9th Cir. 1994); Oregon v. Champion Int'l Corp., 680 F.2d 1300, 1301 (9th Cir. 1982) (per curiam). The district court permissibly relied on the court's strict requirement that parties adhere to Central District of California Rule 7-3; Plaintiff admittedly did not comply with this Rule.

3. This court issued an injunction on October 30, 2015, enjoining Defendants from selling the property at issue in this case, pending oral argument and further order from this court. Because we deny relief in this case, we hereby ORDER that the injunction be dissolved.

Appeal in No. 13-56568 DISMISSED; in No. 14-55177 AFFIRMED;
injunction DISSOLVED.