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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TRACEY THOMPSON,  
Plaintiff,

No. C -11-01670 (EDL)

**ORDER**

v.

PATRICK R. DONAHOE, Postmaster General  
of the United States Postal Service,  
Defendant.

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Before the Court is Plaintiff's Motion to Reopen Time for Filing Notice of Appeal (Dkt 93). The Court entered judgment in this case on June 27, 2013. Plaintiff filed her Notice of Appeal on July 29, 2013, which is 32 days after the Court entered judgment. Plaintiff asserts that the Court should reopen the time for her to file a Notice of Appeal under Federal Rule of Appellate Procedure 4(a)(6).

The Court need not reach the merits of Plaintiff's motion because her Notice of Appeal appears to have been timely filed. Under Federal Rule of Appellate Procedure 4(a)(1)(B), which applies because Defendant is a United States officer sued in an official capacity, Plaintiff had 60 days from entry of judgment to file her Notice of Appeal. Plaintiff filed her Notice of Appeal 32 days after entry of judgment. Because Plaintiff's Notice of Appeal appears timely, the Court denies her motion to reopen as moot.

**IT IS SO ORDERED**

Dated: 10/22/13

  
ELIZABETH D. LAPORTE  
United States Magistrate Judge