

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

CELESTINE JONES

VERSUS

GOLDEN CORRAL CORPORATION

CIVIL ACTION

NO. 09-324-BAJ-DLD

**RULING AND ORDER**

On April 13, 2012, Judgment was issued in favor of the Defendant in the above-captioned matter, reflecting the jury's verdict in favor of Defendant and against the Plaintiff in the above-captioned matter (doc. 38). On May 8, 2012, Plaintiff filed a motion for extension of time to file a notice of appeal (doc. 41). On May 15, 2012, Plaintiff was granted a thirty day extension to file the notice of appeal (doc. 44). On June 15, 2012, Plaintiff filed a notice of appeal (doc. 45).

On June 22, 2012, Defendant filed the foregoing Motion to Dismiss Appeal arguing that Plaintiff did not timely file her notice of appeal (doc. 46).

The record reflects that Plaintiff was granted a thirty day extension after the prescribed time for filing the notice of appeal. Accordingly, Plaintiff had thirty days from May 14, 2012<sup>1</sup> to file the notice of appeal after the extension was

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<sup>1</sup> 30 days after judgment was entered was May 13, 2012; however that day was a Sunday. Therefore, plaintiff had until May 14, 2012 to file a notice of appeal before motion was granted.

granted. However, Plaintiff's notice of appeal, filed on June 15, 2012, was not timely.

Accordingly, it is **ORDERED** that the Defendant's motion to dismiss appeal (doc. 46) is **HEREBY GRANTED**.

Baton Rouge, Louisiana, August 3, 2012.

A handwritten signature in cursive script, appearing to read "Brian A. Jackson".

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BRIAN A. JACKSON, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA