

IN THE UTAH COURT OF APPEALS

-----ooOoo-----

Citibank (South Dakota), N.A.	)	MEMORANDUM DECISION
aka AT&T Universal Card,	)	(Not For Official Publication)
	)	
Plaintiff and Appellee,	)	Case No. 20051103-CA
	)	
v.	)	F I L E D
	)	(June 29, 2006)
Kimberlie D. Forte,	)	
	)	2006 UT App 270
Defendant and Appellant.	)	

-----

Third District, West Jordan Department, 050102531  
The Honorable Robert Adkins

Attorneys: Kimberlie D. Forte, Sandy, Appellant Pro Se  
Erik A. Christiansen and Damon J. Georgelas, Salt  
Lake City, for Appellee

-----

Before Judges Greenwood, Davis, and Thorne.

PER CURIAM:

This matter is before the court on its sua sponte motion for summary disposition on the ground that the court lacks jurisdiction over the appeal due to Kimberlie D. Forte's failure to file a timely notice of appeal.

A notice of appeal must be filed "with the clerk of the trial court within 30 days after the date of entry of the judgment or order appealed from." Utah R. App. P. 4(a). If an appeal is not timely filed, this court lacks jurisdiction to hear the appeal and must dismiss. See Serrato v. Utah Transit Auth., 2000 UT App 299, ¶7, 13 P.3d 616. The order from which Forte appeals was entered on September 30, 2005. She filed her notice of appeal on November 17, 2005.<sup>1</sup> Accordingly, Forte's notice of

---

<sup>1</sup>Forte's post-judgment motion to reconsider did not extend the period for filing a notice of appeal. See Gillett v. Price, 2006 UT 24, ¶8, 550 Utah Adv. Rep. 20.

appeal was not timely and this court has no jurisdiction to hear the appeal.

Therefore, the appeal is dismissed.

---

Pamela T. Greenwood,  
Associate Presiding Judge

---

James Z. Davis, Judge

---

William A. Thorne Jr., Judge