

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 00-6535

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ISAAC GILFORD,

Plaintiff - Appellant,

versus

PARRIS GLENDENING; ATTORNEY GENERAL FOR THE  
STATE OF MARYLAND; LLOYD L. WATERS, Warden,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Frederic N. Smalkin, District Judge. (CA-  
00-574-S)

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Submitted: September 21, 2000      Decided: September 28, 2000

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Before WILKINS, NIEMEYER, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Isaac Gilford, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Isaac Gilford seeks to appeal the district court's order dismissing his 42 U.S.C.A. § 1983 (West Supp. 2000) action. We dismiss the appeal for lack of jurisdiction because Appellant's notice of appeal was not timely filed.

Parties are accorded thirty days after the entry of the district court's final judgment or order to note an appeal, see Fed. R. App. P. 4(a)(1), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5) or reopens the appeal period under Fed. R. App. P. 4(a)(6). This appeal period is "mandatory and jurisdictional." Browder v. Director, Dep't of Corrections, 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)).

The district court's order was entered on the docket on March 3, 2000. Gilford's notice of appeal was filed on April 10, 2000.\* Because Gilford failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED

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\* For the purpose of this appeal we assume that the date stamped on the envelope used to mail the notice of appeal is the date it was given to prison officials for mailing. See Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266 (1988).