

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 01-2023**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RICKEY G. YOUNG,

Defendant - Appellant.

---

Appeal from the United States District Court for the Western  
District of Virginia, at Roanoke. James P. Jones, District Judge.  
(CA-00-907-7)

---

Submitted: March 14, 2002

Decided: April 1, 2002

---

Before WILKINS, TRAXLER, and KING, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

Rickey G. Young, Appellant Pro Se. Rick A. Mountcastle, OFFICE OF  
THE UNITED STATES ATTORNEY, Abingdon, Virginia, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Rickey G. Young seeks to appeal the district court's order granting the Government's motion for a protective order. We dismiss the appeal for lack of jurisdiction because Young's notice of appeal was not timely filed.

When the United States is a party to a civil action, the parties are accorded sixty days after 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 November 20, 2000. Young's notice of appeal was filed on August 2, 2001. Because Young 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