

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-2131

ELLIS HARLEY BARBER, Medicine Priest,

Plaintiff - Appellant,

versus

INTERNATIONAL BAR ASSOCIATION; FEDERAL BAR ASSOCIATION; AMERICAN BAR ASSOCIATION; WILLIAM H. REHNQUIST, Chief Justice, United States Supreme Court; HALDANE MAYER, Chief Judge; J. HARVIE WILKERSON, III, Chief Judge, U. S. Court of Appeals for the Fourth Circuit; J. FREDERICK MOTZ, Chief Judge, U. S. District Court, Baltimore, MD; RAYMOND J. KANE, Chief Judge, Howard County Circuit Court, MD; MARTHA R. RASIN, Chief Judge, Howard County District Court, MD; CIRCUIT COURT FOR HOWARD COUNTY,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. William M. Nickerson, District Judge. (CA-00-3638-WMN)

Submitted: December 20, 2001

Decided: December 27, 2001

Before LUTTIG, TRAXLER, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Ellis Harley Barber, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Ellis Harley Barber seeks to appeal the district court's order dismissing his civil action for failure to state a claim. We dismiss the appeal for lack of jurisdiction because Barber's notice of appeal was not timely filed.

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 December 19, 2000. Barber's notice of appeal was filed on September 17, 2001. Because Barber 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