

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 01-2435**

---

GEORGE SYLVESTER FLOYD, SR.,

Plaintiff - Appellant,

versus

THOMAS E. WHITE, Secretary of the Army; CLAUDE  
WILLIAMS, Adjutant General,

Defendants - Appellees.

---

Appeal from the United States District Court for the Eastern Dis-  
trict of Virginia, at Norfolk. Jerome B. Friedman, District Judge.  
(CA-01-362-2)

---

Submitted: March 14, 2002

Decided: March 21, 2002

---

Before NIEMEYER and KING, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

---

Dismissed by unpublished per curiam opinion.

---

George Sylvester Floyd, Sr., Appellant Pro Se. Mark David Maxwell,  
OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for  
Appellees.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

George Sylvester Floyd, Sr. seeks to appeal the district court's order granting the Appellees' motion to dismiss his Title VII action. The Appellees have moved to dismiss Floyd's appeal as untimely. We grant the Appellees' motion and dismiss the appeal for lack of jurisdiction because Floyd's notice of appeal was not timely filed.

Parties are accorded sixty 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 September 27, 2001. Floyd's notice of appeal was filed on November 27, 2001. Because Floyd failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we grant the Appellees' motion to 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