

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-6577

JAMES ALBERT TAYLOR,

Petitioner - Appellant,

versus

STATE OF MARYLAND, in the Circuit for Calvert
County,

Respondent - Appellee.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. Frederic N. Smalkin, District Judge. (CA-
01-50-S)

Submitted: June 21, 2001

Decided: July 5, 2001

Before WIDENER and GREGORY, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

James Albert Taylor, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

James Albert Taylor seeks to appeal the district court's order denying relief on his complaint filed under 42 U.S.C.A. § 1983 (West Supp. 2000), which the district court construed as a petition for habeas corpus under 28 U.S.C. § 2241 (1994). We dismiss the appeal for lack of jurisdiction because Taylor's notice of appeal was not timely filed.

Parties are accorded thirty 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 January 16, 2001. Taylor's notice of appeal was filed on March 27, 2001. Because Taylor failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we deny a certificate of appealability and 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