

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-1304

GERALD HAWKINS,

Plaintiff - Appellant,

versus

ARAMARK FACILITIES SERVICES, INCORPORATED,

Defendant - Appellee,

and

DON WIGGINS,

Defendant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Benson E. Legg, District Judge. (CA-00-1581-L)

Submitted: May 30, 2002

Decided: June 6, 2002

Before WILKINS, TRAXLER, and GREGORY,* Circuit Judges.

* Judge Gregory did not participate in consideration of this case. The opinion is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d).

Dismissed by unpublished per curiam opinion.

Gerald Hawkins, Appellant Pro Se. Robert Ross Niccolini,
MCGUIREWOODS, L.L.P., Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Gerald Hawkins seeks to appeal the district court's order dismissing his civil 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 February 7, 2001. Hawkins' notice of appeal was filed on March 13, 2002. Because Hawkins 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