

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6716

GEORGE L. REID,

Plaintiff - Appellant,

and

JERRY HARRIS; LUIS LUGO; STEVEN J. RICHMOND;
JOHN FARMER; ROBERT HUDSON; TYRONE WILKINS;
DOUGLAS S. PEARSON; MAURICE JETT; WILLIAM
KEITH SMITH; KENYATTA WILLIAMS; FLOYD D.
ASHWOOD; T. KENDRICK; J. POWELL; K. KENNEY,

Plaintiffs,

versus

STAN BARRY, Sheriff; JANE CORCORAN,
Supervisor, Lt. Classification Unit; FAIRFAX
COUNTY BOARD OF SUPERVISORS,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Norfolk. Rebecca B. Smith, District Judge.
(CA-02-59-2)

Submitted: July 25, 2002

Decided: August 2, 2002

Before WILKINS, MOTZ, and TRAXLER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

George L. Reid, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

George L. Reid seeks to appeal the district court's order dismissing his 42 U.S.C.A. § 1983 (West Supp. 2002) complaint without prejudice for failure to exhaust administrative remedies. We dismiss the appeal for lack of jurisdiction because Reid'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 Corrs., 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 Feb. 6, 2002. Reid's notice of appeal was filed on May 7, 2002. Because Reid 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