

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1504

SHAHSULTAN JAFFER,

Plaintiff - Appellant,

versus

THE NATIONAL BLACK CAUCUS AND CENTER ON BLACK
AGED, INCORPORATED; LARRY CRECY; ANGELA
HUGHES; VALERIE CHESTNUT; EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION; RICHARD E. WALZ; E.
PRICE; JOHN AND JANE DOES, 1 through 99,

Defendants - Appellees.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. Frank W. Bullock, Jr.,
District Judge. (CA-03-96-1)

Submitted: August 26, 2004

Decided: September 1, 2004

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

Affirmed in part and dismissed in part by unpublished per curiam
opinion.

Shahsultan Jaffer, Appellant Pro Se. Charles Matthew Keen,
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, Raleigh, North Carolina;
Megumi Kay Fujita, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,
Washington, D.C., for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Shahsultan Jaffer appeals (1) the magistrate judge's order denying her motion for appointment of counsel, (2) the district court's order upholding the magistrate judge's denial of her motion for appointment of counsel, (3) the court's order denying her motion for reconsideration filed under Fed. R. Civ. P. 59(e), (4) the court's order granting Defendants' motions to dismiss her employment discrimination complaint, and (5) the court's order denying her motion filed under Fed. R. Civ. P. 60(b). We affirm in part and dismiss in part.

When the United States or its officer or agency is a party, the notice of appeal must be filed no more than sixty days after the entry of the district court's final judgment or order, Fed. R. App. P. 4(a)(1)(B), 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. Dir., Dep't of Corr., 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)).

The district court's order dismissing Jaffer's complaint was entered on the docket on December 23, 2003. The notice of appeal was filed on April 12, 2004. Because Jaffer failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss Jaffer's appeal from the orders described in (1), (2), (3), and (4) above. See McLaurin v.

Fischer, 768 F.2d 98, 101 (6th Cir. 1985) (noting that appeal from final judgment calls into question all previous rulings leading to judgment).

Turning to Jaffer's timely appeal from the district court's order denying her Rule 60(b) motion, we have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Jaffer v. Nat'l Black Caucus & Ctr. on Black Aged, Inc., No. CA-03-96-1 (M.D.N.C. Mar. 11, 2004). 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.

AFFIRMED IN PART; DISMISSED IN PART