

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-6164

CHARLES JONES, a/k/a Nicholas Warner Jones,
a/k/a Jeffrey Victor Warner,

Plaintiff - Appellant,

versus

ARRIE W. DAVIS, Maryland State Appeals Judge,
Court of Special Appeals; WILLIAM W.
SONDERVAN, Commissioner of Corrections; MAYOR
AND CITY COUNCIL OF BALTIMORE, MARYLAND; CHIEF
JUDGE OF THE CIRCUIT COURT FOR BALTIMORE CITY;
KRAUSER; RAYMOND G. THIEME; MARTIN P. WELCH,
Judge; MURPHY, Chief Judge,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. Benson Everett Legg, Chief District Judge.
(CA-02-1818-BEL; CA-02-1951-BEL)

Submitted: April 29, 2004

Decided: May 5, 2004

Before LUTTIG, WILLIAMS, SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Charles Jones, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Charles Jones seeks to appeal the district court's order dismissing his 42 U.S.C. § 1983 (2000) actions. We dismiss the appeal for lack of jurisdiction because the 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, Fed. R. App. P. 4(a)(1)(A), 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 was entered on the docket on June 20, 2002. Giving Jones the benefit of Houston v. Lack, 487 U.S. 266 (1988), his notice of appeal was filed, at the earliest, on January 9, 2004. Because Jones 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