

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-1834**

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MINH NGUYEN,

Plaintiff - Appellant,

versus

REGAN, HALPERIN & LONG, PLLC,

Defendant - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt. Roger W. Titus, District Judge. (CA-03-221)

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Submitted: October 18, 2005

Decided: October 20, 2005

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Before WIDENER, MICHAEL, and DUNCAN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Minh Nguyen, Appellant Pro Se. Patrick Michael Regan, Salvatore Joseph Zambri, REGAN, HALPERIN & LONG, P.L.L.C., Washington, D.C., for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Minh Nguyen seeks to appeal the district court's order denying her legal malpractice claim. We grant the Appellee's motion to 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. Director, 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 August 30, 2004. The notice of appeal was filed on July 27, 2005. Because Nguyen 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