

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 06-1844**

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ADRIAN CARTER,

Plaintiff - Appellant,

and

LINDA S. RAYNOR,

Plaintiff,

versus

DEPARTMENT OF SOCIAL SERVICES,

Defendant - Appellee.

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Appeal from the United States District Court for the Western District of Virginia, at Harrisonburg. Samuel G. Wilson, District Judge. (5:06-cv-00051-sgw; 5:06-cv-00052; 5:06-cv-00054)

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Submitted: November 15, 2006

Decided: November 17, 2006

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Before WIDENER, WILKINSON, and MOTZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Adrian Carter, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Adrian Carter seeks to appeal the district court's order dismissing Carter's motion "to remove Cheryl Dickensheets from DSS and have DSS pay her misdeeds". 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, 2006. The notice of appeal was filed on July 21, 2006. Because Carter 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