

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1027

AUBREY LEON DICKSON, SR.,

Plaintiff - Appellant,

v.

MARYLAND NATIONAL PARK PLANNING COMMISSION,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Robert W. Titus, District Judge. (8:09-cv-01429-RWT)

Submitted: March 16, 2010

Decided: March 24, 2010

Before NIEMEYER, MOTZ, and DAVIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Aubrey Leon Dickson, Sr., Appellant Pro Se. Jared Michael McCarthy, MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION, Riverdale, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Aubrey Leon Dickson, Sr., seeks to appeal the district court's orders granting the Defendant's motions to dismiss, or in the alternative, for summary judgment and denying Dickson's second motion to amend or alter judgment. 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 orders were entered on the docket on October 13, 2009 and November 25, 2009. The notice of appeal was filed on December 31, 2009. Because Dickson 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