UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2720

BARON J. BELL,

Plaintiff - Appellant,

versus

ARUNDEL COMMUNITY DEVELOPMENT SERVICES, INCORPORATED; HANS F. MAYER, President, Board of Directors; KATHLEEN M. KOCH, Executive Director; SHERRY WILLIAMS, Program Director; ADRIAN WISEMAN, Member, Board of Directors,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Frederick N. Smalkin, District Judge. (CA-97-3823-S)

Submitted: January 19, 1999 Decided: February 10, 1999

Before WILKINS, NIEMEYER, and HAMILTON, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Baron J. Bell, Appellant Pro Se. Charles Samuel Fax, Dana Michelle Sirkis Wilson, SHAPIRO & OLANDER, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Baron J. Bell filed an untimely notice of appeal. We dismiss for lack of jurisdiction. The time periods for filing notices of appeal are governed by Fed. R. App. P. 4. These periods are "mandatory and jurisdictional." Browder v. Director, Dep't of Corrections, 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)). Parties to civil actions have thirty days within which to file in the district court notices of appeal from judgments or final orders. Fed. R. App. P. 4(a)(1). The only exceptions to the appeal period are when the district court extends the time to appeal under Fed. R. App. P. 4(a)(5) or reopens the appeal period under Fed. R. App. P. 4(a)(6).

The district court entered its order on October 16, 1998; Bell's notice of appeal was filed on November 17, 1998, which is beyond the thirty-day appeal period. Bell's failure to note a timely appeal or obtain an extension of the appeal period leaves this court without jurisdiction to consider the merits of Bell's appeal. We therefore grant the Appellees' motion to 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