

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 99-6241**

---

JEFFREY MCFADDEN,

Plaintiff - Appellant,

versus

CALVIN WASHINGTON, Chief Investigator for Williamsburg County Sheriff's Department; DENNIS PARROTT, Narcotics Officer for Williamsburg County Sheriff's Department; ERNEST L. HAMPTON, then Narcotics Officer for Williamsburg County Sheriff's Department; OLIVER MILLER, Confidential Informant for Williamsburg County Sheriff's Department,

Defendants - Appellees.

---

Appeal from the United States District Court for the District of South Carolina, at Orangeburg. Falcon B. Hawkins, Chief District Judge. (CA-98-2065-5-11JI)

---

Submitted: May 13, 1999

Decided: May 19, 1999

---

Before WIDENER and MOTZ, Circuit Judges, and BUTZNER, Senior Circuit Judge.

---

Dismissed by unpublished per curiam opinion.

---

Jeffrey McFadden, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Jeffrey McFadden 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 August 21, 1998; McFadden's notice of appeal was filed on February 18, 1999, which is beyond the thirty-day appeal period. McFadden'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 his appeal. We therefore 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