

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-1198**

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GEORGE G. WILLIAMS,

Plaintiff - Appellant,

versus

KENNETH S. APFEL, Commissioner of Social Security,

Defendant - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Jillyn K. Schulze, Magistrate Judge. (CA-99-510-S)

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Submitted: May 11, 2000

Decided: May 16, 2000

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Before MURNAGHAN, LUTTIG, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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George G. Williams, Appellant Pro Se. Charlotte Mary Connery-Aujla, SOCIAL SECURITY ADMINISTRATION, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

George G. Williams seeks to appeal the district court's order dismissing his action filed pursuant to 42 U.S.C.A. § 405(g) (West Supp. 1999) seeking a review of a final decision of the Commissioner of Social Security. We dismiss the appeal for lack of jurisdiction because Williams's notice of appeal was not timely filed.

When the United States is a party, all parties are accorded sixty days after entry of the district court's final judgment or order to note an appeal, see Fed. R. App. P. 4(a)(1), 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 Corrections, 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 December 3, 1999. Williams's notice of appeal was filed on February 14, 2000. Because Williams 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