

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-2327**

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W&M PROPERTIES, INCORPORATED OF VIRGINIA,  
d/b/a Merrifield Village Apartment Company,

Plaintiff - Appellee,

versus

CAROLYN A. MILLIGAN; JOHNNY MILLIGAN,

Defendants - Appellants.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Alexandria. Gerald Bruce Lee, District  
Judge. (CA-04-981-1)

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Submitted: January 13, 2005

Decided: January 19, 2005

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Before WIDENER, NIEMEYER, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Carolyn A. Milligan, Johnny Milligan, Appellants Pro Se. Andrew  
Greenleaf Lawrence, Fairfax, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Johnny L. Milligan and Carolyn A. Milligan seek to appeal the district court's order granting plaintiff's motion and remanding this action to state court because the notice of removal was not timely filed and for lack of federal jurisdiction. The district court's remand order is not reviewable. See 28 U.S.C. § 1447(d) (2000). We therefore dismiss the appeal for lack of jurisdiction. 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