

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-1185

MAXILENE S. SUGGS,

Plaintiff - Appellant,

v.

NORTH STRAND OB-GYN; CHRIS S. MCCAULEY, MD; BRETON C.
JUBERG, MD,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Florence. Terry L. Wooten, District Judge.
(4:07-cv-03911-TLW)

Submitted: May 21, 2009

Decided: May 28, 2009

Before MOTZ, TRAXLER, and AGEE, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Maxilene S. Suggs, Appellant Pro Se. Eugene Matthews,
RICHARDSON, PLOWDEN & ROBINSON, PA, Columbia, South Carolina,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Maxilene S. Suggs seeks to appeal the district court's order accepting the recommendation of the magistrate judge to grant Defendants' summary judgment motion on Suggs' claims under Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. §§ 2000e et seq. (West 2008) and the Age Discrimination in Employment Act, 29 U.S.C. § 621 (2006) et seq., and to decline jurisdiction over her state law claims. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties in a civil case in which the United States or its officer or agency is not a party are required to file a notice of appeal within thirty days after the judgment or order appealed from is entered, 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. See Bowles v. Russell, 551 U.S. 205, 127 S. Ct. 2360, 2366 (2007).

The district court's order was entered on the docket on January 14, 2009. The notice of appeal was filed on February 17, 2009. Because Suggs 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