

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-1261**

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KARON ANN PARHAM,

Plaintiff - Appellant,

versus

PEPSICO, INCORPORATED,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. W. Earl Britt, Senior District Judge. (CA-95-307-5-BR)

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Submitted: August 25, 1998

Decided: November 23, 1998

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Before MURNAGHAN, LUTTIG, and WILLIAMS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Karon Ann Parham, Appellant Pro Se. Louis B. Meyer, III, POYNER & SPRUILL, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Karon Ann Parham appeals the district court's orders denying her motions to accept newly discovered evidence and for entry of default judgment. We have reviewed the record and the district court's orders and find no reversible error. We affirm the denial of Parham's motions because the motion to accept newly discovered evidence was untimely under Fed. R. Civ. P. 60(b), and the district court lacked jurisdiction to reopen default judgment proceedings after entering final judgment. We deny Parham's motion for 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. We deny Parham's motions for sanctions, to produce evidence, and command attendance at hearing. We grant Pepsico's second amended motion for sanctions under Fed. R. App. P. 38 for filing a frivolous appeal, but decline to grant Pepsico's request for an order enjoining Parham from filing any future actions against Pepsico in federal court. Instead of particularized fees and costs, we order Parham to pay sanctions in the amount of \$500. See In re Vincent, 105 F.3d 943, 945 (4th Cir. 1997).

AFFIRMED