

UNITED STATES COURT OF APPEALS November 8, 2011
FOR THE TENTH CIRCUIT Elisabeth A. Shumaker
Clerk of Court

BURTON SANDLES,

Petitioner - Appellant,

v.

DENVER DOWNTOWN
CORRECTIONAL FACILITY; THE
ATTORNEY GENERAL OF THE
STATE OF COLORADO; STATE OF
COLORADO,

Respondents - Appellees.

No. 11-1477
(D.C. No. 1:10-CV-01386-ZLW)
(D. Colo.)

ORDER

Before **KELLY, LUCERO, TYMKOVICH**, Circuit Judges.

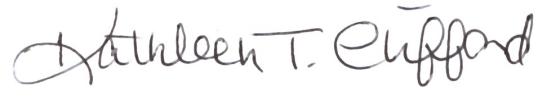
In a September 16, 2010 Order and separate judgment, the district court denied Burton Sandles' amended 28 U.S.C. § 2254 petition. Petitioner Sandles did not appeal. Then, in a May 20, 2011 Minute Order, the district court denied Petitioner Sandles' request to correct. Petitioner, proceeding *pro se*, appeals. We dismiss. The notice of appeal is untimely.

The time limit for filing a notice of appeal in a civil case is "mandatory and jurisdictional." *Bowles v. Russell*, 551 U.S. 205, 214 (2007). The 30-day deadline under

Fed. R. App. P. 4(a)(1)(A) for filing a timely notice of appeal as to the May 20, 2011 Minute Order expired on Monday, June 20, 2011. *See* Fed. R. App. P. 26(a)(1)(C). Petitioner's notice of appeal was filed on October 14, 2011, which was 116 days past the 30-day filing deadline. *Pro se* appellants must comply with the requirements of the Federal Rules of Appellate Procedure that govern all litigants. *See Ogden v. San Juan County*, 32 F.3d 452, 455 (10th Cir. 1994).

This appeal is **DISMISSED** for lack of appellate jurisdiction.

Entered for the Court,
Elisabeth A. Shumaker, Clerk

A handwritten signature in dark ink, reading "Kathleen T. Clifford". The signature is written in a cursive, flowing style.

Kathleen T. Clifford
Attorney - Deputy Clerk