

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

September 17, 2014

Elisabeth A. Shumaker
Clerk of Court

FRANCIS ELAINE ROHRS,

Petitioner - Appellant,

v.

RICKEY W. MOHAM, Warden,

Respondent - Appellee.

No. 14-6185
(D.C. No. 5:14-CV-00024-F)

ORDER

Before **GORSUCH, PHILLIPS, and McHUGH**, Circuit Judges.

This court lacks jurisdiction over this appeal because the notice of appeal was filed late.

Judgment was entered on March 13, 2014, and the notice of appeal was filed almost six months later, on September 9, 2014.

In a civil case, in which the United States is not a party, a notice of appeal must be filed within 30 days of entry of the judgment being appealed. *See* 28 U.S.C. § 2107(a) (a notice of appeal in a civil matter must be filed within 30 days of entry of judgment); Fed. R. App. P. 4(a)(1)(A) (same). A timely notice of appeal in a civil case is both mandatory and jurisdictional. *See Bowles v. Russell*, 551 U.S. 205, 209, 213 (2007).

Because the appeal was filed more than 30 days after entry of judgment, this court lacks jurisdiction. **APPEAL DISMISSED.**

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script, appearing to read "Ellen Rich Reiter".

by: Ellen Rich Reiter
Jurisdictional Attorney