

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

March 17, 2025

Christopher M. Wolpert
Clerk of Court

KENNETH MICHAEL PACIOREK,

Plaintiff - Appellant,

v.

LEHI CITY; LEHI POLICE
DEPARTMENT; MARK JOHNSON;
GARRETT HORSLEY; (FNU) PAGE;
CRAIG CHAMBERS,

Defendants - Appellees.

No. 25-4019
(D.C. No. 2:23-CV-00905-DAK)
(D. Utah)

ORDER

Before **HARTZ, EID**, and **CARSON**, Circuit Judges.

This matter comes before the court following Mr. Paciorek's response to this court's March 10, 2025, jurisdictional show cause order. Mr. Paciorek's response did not address the timeliness of his appeal.

The district court entered its final order and judgment on May 21, 2024. Mr. Paciorek filed his notice of appeal on February 19, 2025. The timely filing of the notice of appeal in a civil case is both mandatory and jurisdictional. *See Bowles v. Russell*, 551 U.S. 205, 209 (2007). In a civil case, a notice of appeal is due within 30 days after the entry of the judgment or order being appealed from. Fed. R. App. P. 4(a)(1)(A). Here, Mr. Paciorek's deadline to file his notice of appeal was June 20, 2024; he did not file his

notice of appeal until well after his deadline to do so had run. So, Mr. Paciorek's notice of appeal was untimely.

Because the notice of appeal was untimely, this court is without jurisdiction to consider this appeal.

APPEAL DISMISSED.

Entered for the Court

A handwritten signature in black ink, appearing to read 'C. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk