

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

July 16, 2025

Christopher M. Wolpert
Clerk of Court

RAMON TORRES HERNANDEZ;
MARIA JULIA RAMOS DE TORRES,

Plaintiffs - Appellants,

v.

GOSDIS LAW FIRM, PLLC; SHANE D.
GOSDIS; LILIA BUCHMULLER;
PROGRESSIVE CLASSIC INSURANCE
COMPANY; ALLSTATE FIRE AND
CASUALTY INSURANCE COMPANY,

Defendants - Appellees.

No. 25-4078
(D.C. No. 2:24-CV-00682-AMA)
(D. Utah)

ORDER

Before **BACHARACH**, **McHUGH**, and **ROSSMAN**, Circuit Judges.

This appeal is before us sua sponte to consider the court's jurisdiction over this appeal. *See Hill v. Vanderbilt Cap. Advisors, LLC*, 702 F.3d 1220, 1223 (10th Cir. 2012) (this court has "an independent duty to examine [its] own jurisdiction").

The district court entered judgment against pro se appellants Ramon Torres Hernandez and Maria Julia Ramos De Torres on May 13, 2025. In this civil case that does not include a federal actor as a party, the time to appeal that judgment was 30 days. Accordingly, appellants needed to file their notice of appeal by June 12, 2025. Fed. R.

App. P. 4(a). Appellants did not file their notice of appeal until June 18, 2025, after the deadline had expired.

We entered a show cause order that required appellants to explain why appellate jurisdiction was present in this appeal. We have before us appellants' response to that show cause order. Upon consideration of that response, the district court docket, and the applicable law, we conclude we lack jurisdiction for the reasons articulated below.

"A timely notice of appeal is both mandatory and jurisdictional." *Allender v. Raytheon Aircraft Co.*, 439 F.3d 1236, 1239 (10th Cir. 2006) (quotation omitted). In a civil case like this one, a notice of appeal "must be filed with the district clerk within 30 days after entry of the judgment or order appealed from." Fed. R. App. P. 4(a)(1)(A); *see also* 28 U.S.C. § 2107(a).

Here, the district court's final judgment was entered May 13, 2025. To be timely, the notice of appeal had to be filed in the district court by June 12, 2025. Appellants did not file their notice of appeal until June 18, 2025, after the deadline to appeal the judgment passed. This court has no authority to ignore the jurisdictional requirement to file a timely notice of appeal. *Bowles v. Russell*, 551 U.S. 205, 214 (2007). So, "[t]he time limit has run[,] and we are without jurisdiction under the facts of this case." *Jenkins v. Burtzloff*, 69 F.3d 460, 464 (10th Cir. 1995).

APPEAL DISMISSED.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk