

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**UNITED STATES COURT OF APPEALS**  
**FOR THE TENTH CIRCUIT**

**January 24, 2014**

**Elisabeth A. Shumaker**  
**Clerk of Court**

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ROBERT WAYNE ROBINSON,

Plaintiff - Appellant,

v.

HONORABLE JUDGE PAUL A. KING;  
JAMES J. PETERS, Former District  
Attorney; JOHN SUTHERS, Colorado  
Attorney General,

Defendants - Appellees.

No. 14-1035  
(D.C. No. 1:12-CV-02543-LTB)

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**ORDER**

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Before **GORSUCH, HOLMES, and BACHARACH**, Circuit Judges.

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

The order denying the plaintiff's Fed. R. Civ. P. 60(b) motion was entered on October 31, 2014. The notice of appeal was filed on January 23, 2014, almost three months later.

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 the district court's order, this court lacks jurisdiction. **APPEAL DISMISSED.**

Entered for the Court  
ELISABETH A. SHUMAKER, Clerk



by: Ellen Rich Reiter  
Jurisdictional Attorney