

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 18-30424



GRETA CAZENAVE, ET AL,

Plaintiffs

v.

A True Copy
Certified order issued Jun 21, 2018

Steph W. Coyle
Clerk, U.S. Court of Appeals, Fifth Circuit

CHARLES C. FOTI, JR., in his individual capacity; BARBARA ACOMB, Wardens; WILLIAM SHORT; JOSEPH HOWARD; JOHN LACOUR; GARY BORDELON; RUDY BELISLE; UNIDENTIFIED PARTIES; WILLIAM C. HUNTER, in his official capacity as present Sheriff of the Orleans Parish Criminal Sheriff's Office; MARLIN N. GUSMAN, Orleans Parish Criminal Sheriff,

Defendants - Appellees

v.

RAHSAAN BRANDON DARDEN,

Movant - Appellant

Appeal from the United States District Court
for the Eastern District of Louisiana

Before CLEMENT, ELROD, and HIGGINSON, Circuit Judges.

PER CURIAM:

This court must examine the basis of its jurisdiction, on its own motion

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if necessary. *Hill v. City of Seven Points*, 230 F.3d 167, 169 (5th Cir. 2000). Pursuant to 28 U.S.C. § 2107(a) and Federal Rule of Appellate Procedure 4(a)(1)(A), the notice of appeal in a civil case must be filed within thirty days of entry of judgment.

In this civil rights case, the district court entered final judgment dismissing the complaint on July 18, 2008. Therefore, the final day for filing a timely notice of appeal was Monday, August 18, 2008, because the thirtieth day was a Sunday. *See* FED. R. APP. P. 26(a)(3). The plaintiff's notice of appeal was filed on April 5, 2018. When set by statute, the time limitation for filing a notice of appeal in a civil case is jurisdictional. *Hamer v. Neighborhood Hous. Servs. of Chi.*, 138 S. Ct. 13, 17 (2017); *Bowles v. Russell*, 551 U.S. 205, 214 (2007). The lack of a timely notice mandates dismissal of the appeal. *Robbins v. Maggio*, 750 F.2d 405, 408 (5th Cir. 1985).

IT IS SO ORDERED.