

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 26 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MICHAEL K. VERBLE,

Plaintiff-Appellant,

v.

CITY OF SAN DIEGO,

Defendant-Appellee,

and

UNITED STATES OF AMERICA,

Defendant.

No. 19-55675

D.C. No.

3:04-cv-00537-LAB-JFS

Southern District of California,
San Diego

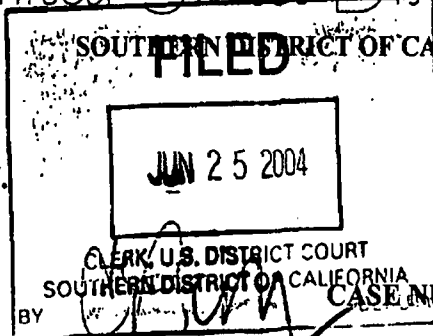
ORDER

Before: CLIFTON, N.R. SMITH, and FRIEDLAND, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the June 3, 2019 notice of appeal was not filed within 60 days after entry of the district court's June 25, 2004 judgment, or of any post-judgment order. *See* 28 U.S.C. § 2107(b); *United States v. Sadler*, 480 F.3d 932, 937 (9th Cir. 2007) (requirement of timely notice of appeal is jurisdictional). Consequently, this appeal is dismissed for lack of jurisdiction.

DISMISSED.

United States District Court



MICHAEL VERBLE

V.

CITY OF SAN DIEGO

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 04CV537LAB (JFS)

☐

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

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Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED the Court grants the City of San Diego's motion to dismiss and hereby dismisses the complaint without prejudice as to the City. Should plaintiff choose to re-file, he must do so within forty-five (45) days from the date this Order is stamped "Filed" and he must address all deficiencies cited in this Order.....

June 25, 2004

Date

W. Samuel Hamrick, Jr.

Clerk

(By) Deputy Clerk

ENTERED ON June 25, 2004

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