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IN THE SUPREME COURT OF IOWA

No. 20-1342

Johnson County No. LACV080636

ORDER

**JOHN ANDERSON,
Plaintiff-Appellant,**

vs.

**THE UNIVERSITY OF IOWA
and IOWA BOARD OF REGENTS,
Defendants-Appellees.**

This matter comes before the court, Appel, Waterman, and McDermott, JJ., upon a jurisdictional issue. The appellant filed an informational notice of appeal with the clerk of this court on October 19, 2020, seeking review of the district court's October 12, 2020 order confirming the dismissal of his claims. On December 8, 2020, this court noted a possible lack of jurisdiction because the appellant had not filed a notice of appeal with the clerk of the district court, and ordered the parties to file statements. On December 11, 2020, appellant filed a notice of appeal with the district court clerk, as well as a statement with this court. Appellees filed a response.

An appeal is taken by filing a notice of appeal with the clerk of the district court where the order or judgment was entered within the applicable time period. Iowa R. App. P. 6.102(2). In most instances, failure to comply with this rule means the court lacks jurisdiction to hear the appeal. *Hills Bank & Trust Co. v. Converse*, 772 N.W.2d 764, 771 (Iowa 2009). The court finds the 53-day delay between service of the informational notice of appeal via the electronic filing system and the filing of the notice of appeal in district court was not reasonable, and therefore the court lacks jurisdiction. *See Evenson v. Winnebago Indus., Inc.*, 922 N.W.2d 335, 336-37 (Iowa 2019) (discussing cases regarding reasonable time).

Upon consideration, the appeal is dismissed.

IN THE IOWA DISTRICT COURT FOR JOHNSON COUNTY

JOHN WILLIAM ANDERSON

Plaintiff(s),

CASE NO. 06521 LACV080636

vs.

ORDER

**BOARD OF REGENTS STATE OF IOWA
UNIVERSITY OF IOWA**

Dated: 10/12/2020

Defendant(s).

On this date, Plaintiff's Motion to Reconsider came before the undersigned for review. The Court has reviewed the contents of the Motion, in which it appears Plaintiff is attempting to provide an explanation for the basis (both factual and legal) of his claims in this matter. The Court is not persuaded that its prior decision to dismiss Plaintiff's claims should be altered in any way. Plaintiff's Motion to Reconsider is denied.

Clerk to notify.

**DIVISION XIV
FORMS**

Rule 6.1401 Forms.**Rule 6.1401 — Form 1: Notice of Appeal.**

IN THE IOWA DISTRICT COURT
FOR Johnson COUNTY

LAC V080636

(Insert district court caption.)

No. _____ (district court case number)

NOTICE OF APPEAL

To: The clerk of the district court for Johnson Co. County, the clerk of the supreme court and
University of Iowa et al

(insert names of unrepresented parties and attorneys of record).

Notice is given that John Anderson (insert the names of the parties who are taking the appeal) appeal(s) to the Supreme Court of Iowa from the final order entered in this case on the 19 day of Oct, 2020, and from all adverse rulings and orders inhering therein.

Dated this 19 day of Oct, 2020

[Signature]
(signature of appellant or appellant's attorney)
Name, address, telephone number, fax number, and
e-mail address of appellant or appellant's attorney.

CERTIFICATE OF SERVICE

The undersigned certifies a copy of this notice of appeal was served on the 19 day of Oct, 2020, upon the following persons and upon the clerk of the supreme court (list the names and addresses of the persons below and indicate the manner of service).

[Signature]
(signature of person making service)

by mail

[Court Order October 31, 2008, effective January 1, 2009]



[Signature]