

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

No: 22-2661

Sharon Hardman

Plaintiff - Appellant

v.

Kilolo Kijakazi, Acting Commissioner of Social Security Administration

Defendant - Appellee

Appeal from U.S. District Court for the Eastern District of Arkansas - Pine Bluff
(5:19-cv-00227-LPR)

JUDGMENT

Before LOKEN, GRUENDER, and ERICKSON, Circuit Judges.

The court has carefully reviewed the original file of the United States District Court and
orders that this appeal be dismissed for lack of jurisdiction as the appeal is untimely.

August 22, 2022

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

SHARON D. HARDMAN

PLAINTIFF

v.

Case No. 5:19-cv-00227-LPR

ANDREW SAUL, in his official capacity
as COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

JUDGMENT

Pursuant to the Order that was entered on this date, it is CONSIDERED, ORDERED, and
ADJUDGED that Judgment is entered in favor of the Defendant on all claims.

IT IS SO ADJUDGED this 2nd day of April 2021.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE

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CLOSED,JTK,JURY

U.S. District Court**Eastern District of Arkansas (Pine Bluff Division (No new cases filed in this division after November 2019.))****CIVIL DOCKET FOR CASE #: 5:19-cv-00227-LPR**

Hardman v. Social Security Administration
 Assigned to: Judge Lee P. Rudofsky
 Case in other court: USCA8, 22-02661
 Cause: 42:2000 Job Discrimination (Age)

Date Filed: 07/18/2019
 Date Terminated: 04/02/2021
 Jury Demand: Plaintiff
 Nature of Suit: 442 Civil Rights: Jobs
 Jurisdiction: U.S. Government Defendant

Plaintiff**Sharon D Hardman**

represented by **Sharon D Hardman**
 609 East 28th Avenue
 Pine Bluff, AR 71601
 PRO SE

Austin Porter , Jr.
 Porter Law Firm
 323 Center Street, Suite 1300
 Little Rock, AR 72201
 501-244-8200
 Fax: 501-372-5567
 Email: aporte5640@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Social Security Administration
*Andrew Saul, in his Official Capacity as the
 Commissioner*

represented by **Jamie Goss Dempsey**
 U. S. Attorney's Office
 Eastern District of Arkansas
 Post Office Box 1229
 Little Rock, AR 72203-1229
 501-340-2600
 Email: jamie.dempsey@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/18/2019	<u>1</u>	COMPLAINT with Jury Demand against Social Security Administration filed by Sharon D Hardman. Summons issued and returned to counsel. (Fee of \$400 paid, Receipt #LIT073074.) (Attachments: # <u>1</u> Civil Cover Sheet) (ljb) (Entered: 07/18/2019)

11/04/2019	<u>2</u>	SUMMONS return Executed by Sharon D Hardman. All Defendants. (Porter, Austin) (Entered: 11/04/2019)
11/15/2019	<u>3</u>	(This is a TEXT ENTRY Only. There is no pdf document associated with this entry.) NOTICE OF REASSIGNMENT. Pursuant to instructions from the Court, this case is transferred to the docket of Judge Lee P. Rudofsky. Signed at the Direction of the Court on 11/15/2019. (thd) (Entered: 11/15/2019)
11/18/2019	<u>4</u>	ANSWER to <u>1</u> Complaint by Social Security Administration.(Dempsey, Jamie) (Entered: 11/18/2019)
12/16/2019	<u>5</u>	INITIAL SCHEDULING ORDER: Rule 26(f) Report due by 3/9/2020 and Jury Trial set for 1/11/2021 at 9:30 AM in Little Rock, Arkansas Courtroom #2A before Judge Lee P. Rudofsky. Signed at the Direction of the Court on 12/16/2019. (hml) (Entered: 12/16/2019)
03/09/2020	<u>6</u>	REPORT of Rule 26(f) Planning Meeting by Social Security Administration. (Dempsey, Jamie) (Entered: 03/09/2020)
03/09/2020	<u>7</u>	FINAL SCHEDULING ORDER: Jury Trial set for 1/11/2021 at 9:30 AM in Little Rock, Arkansas Courtroom #2A before Judge Lee P. Rudofsky. Motions to Amend and Join Other Parties due by 7/15/2020; Discovery due by 8/14/2020; Motions due by 9/14/2020; Status Report due by 9/14/2020; and Pretrial Disclosure Sheet due by 12/11/2020. Signed at the Direction of the Court on 3/9/2020. (hml) (Entered: 03/09/2020)
08/28/2020	<u>8</u>	Joint MOTION to Extend Time by Social Security Administration (Dempsey, Jamie) (Entered: 08/28/2020)
08/31/2020	<u>9</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>8</u> Motion to Extend Time. In addition to the relief requested in the Joint Motion, the trial is continued until mid-March. An amended scheduling order will be forthcoming. Signed by Judge Lee P. Rudofsky on 8/31/2020. (hml) (Entered: 08/31/2020)
08/31/2020	<u>10</u>	AMENDED FINAL SCHEDULING ORDER: Jury Trial reset for 3/15/2021 at 9:30 AM in Little Rock, Arkansas Courtroom #2A before Judge Lee P. Rudofsky. Discovery due by 10/14/2020; Motions due by 11/16/2020; Status Report due by 11/16/2020; and Pretrial Disclosure Sheet due by 2/12/2021. Signed at the Direction of the Court on 8/31/2020. (hml) (Entered: 08/31/2020)
10/14/2020	<u>11</u>	Joint MOTION to Extend Time by Social Security Administration (Dempsey, Jamie) (Entered: 10/14/2020)
10/14/2020	<u>12</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>11</u> Motion to Extend Time. The outstanding deadlines and trial date are extended by one month. No further extensions unless truly extraordinary circumstances exist. A Second Amended Scheduling Order is forthcoming under separate entry. Jury Trial reset for 4/19/2021 at 9:30 AM in Little Rock, Arkansas Courtroom #2A before Judge Lee P. Rudofsky. Signed by Judge Lee P. Rudofsky on 10/14/2020. (hml) (Entered: 10/14/2020)
10/14/2020	<u>13</u>	SECOND AMENDED FINAL SCHEDULING ORDER: Jury Trial reset for 4/19/2021 at 9:30 AM in Little Rock, Arkansas Courtroom #2A before Judge Lee P. Rudofsky. Discovery due by 11/20/2020; Motions due by 12/21/2020; Status Report due by 12/21/2020; and Pretrial Disclosure Sheet due by 3/19/2021. Signed at the Direction of the Court on 10/14/2020. (hml) (Entered: 10/14/2020)
12/21/2020	<u>14</u>	MOTION for Summary Judgment by Social Security Administration (Dempsey, Jamie) (Entered: 12/21/2020)
12/21/2020	<u>15</u>	STATEMENT OF FACTS (Local Rule 56.1) re <u>14</u> Motion for Summary Judgment filed by Social Security Administration. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Dempsey, Jamie) (Entered: 12/21/2020)

12/21/2020	<u>16</u>	BRIEF IN SUPPORT re <u>14</u> Motion for Summary Judgment filed by Social Security Administration. (Dempsey, Jamie) (Entered: 12/21/2020)
12/21/2020	<u>17</u>	STATUS REPORT by Social Security Administration. (Dempsey, Jamie) (Entered: 12/21/2020)
01/03/2021	<u>18</u>	RESPONSE to Motion re <u>14</u> MOTION for Summary Judgment <i>Plaintiff's Response to the Defendant's Motion for Summary Judgment</i> filed by Sharon D Hardman. (Porter, Austin) (Entered: 01/03/2021)
01/03/2021	<u>19</u>	RESPONSE re <u>15</u> Statement of Facts (Local Rule 56.1) <i>Plaintiff's Response to the Defendant's Statement of Undisputed Material Facts</i> filed by Sharon D Hardman. (Attachments: # <u>1</u> Exhibit) (Porter, Austin) (Entered: 01/03/2021)
01/03/2021	<u>20</u>	BRIEF IN SUPPORT re <u>16</u> Brief in Support <i>Plaintiff's Brief In Support in Opposition to the Defendant's Motion for Summary Judgment</i> filed by Sharon D Hardman. (Attachments: # <u>1</u> Exhibit)(Porter, Austin) (Entered: 01/03/2021)
01/07/2021	<u>21</u>	REPLY to Response to Motion re <u>14</u> MOTION for Summary Judgment filed by Social Security Administration. (Attachments: # <u>1</u> Exhibit B)(Dempsey, Jamie) (Entered: 01/07/2021)
03/09/2021	<u>22</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER: Pursuant to Administrative Order Eleven - Court Operations During COVID-19 Pandemic issued 2/26/2021, the Jury Trial is reset for 6/21/2021 at 9:30 AM in Little Rock, Arkansas Courtroom #2A before Judge Lee P. Rudofsky. Signed by Judge Lee P. Rudofsky on 3/9/2021. (hml) (Entered: 03/09/2021)
03/17/2021	<u>23</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER: The trial in this case set for 6/21/2021 is cancelled. A new trial date will be set, if necessary, following a decision on the pending motion for summary judgment. Signed by Judge Lee P. Rudofsky on 3/17/2021. (hml) (Entered: 03/17/2021)
03/18/2021	<u>24</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) NOTICE of Hearing on <u>14</u> MOTION for Summary Judgment: Motion Hearing set for 4/2/2021 at 10:00 AM in Little Rock, Arkansas Courtroom #2A before Judge Lee P. Rudofsky. (hml) (Entered: 03/18/2021)
04/02/2021	<u>25</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) CLERK'S MINUTES for proceedings held before Judge Lee P. Rudofsky: Motion Hearing held on 4/2/2021 ON <u>14</u> MOTION for Summary Judgment. The Court heard arguments from the parties. (Plaintiff: Austin Porter, Jr.; Defendant: Jamie Dempsey; Court Reporter: Stephen Franklin.) (hml) (Entered: 04/02/2021)
04/02/2021	<u>26</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>14</u> Motion for Summary Judgment. For the reasons stated on the Record in today's 25 Hearing, the Court grants in its entirety the Defendant's Motion for Summary Judgment. Judgment will be entered in favor of the Defendant on all claims. Signed by Judge Lee P. Rudofsky on 04/02/2021. (bgr) (Entered: 04/02/2021)
04/02/2021	<u>27</u>	JUDGMENT: Pursuant to the 26 Order that was entered on this date, Judgment is entered in favor of the Defendant on all claims. Signed by Judge Lee P. Rudofsky on 4/2/2021. (jhb) (Entered: 04/02/2021)
08/08/2022	<u>28</u>	NOTICE OF APPEAL as to 26 Order, <u>27</u> Judgment by Sharon D Hardman. Filing fee \$505, receipt number LIT087801. (jhb) (Entered: 08/08/2022)
08/08/2022	<u>29</u>	NOTIFICATION OF APPEAL and NOA SUPPLEMENT as to <u>28</u> Notice of Appeal re 26 Order, <u>27</u> Judgment. (jhb) (Entered: 08/08/2022)
08/08/2022	<u>30</u>	USCA Docketing Letter as to <u>28</u> Notice of Appeal filed by Sharon D Hardman. USCA Case Number 22-2661. (jhb) (Entered: 08/08/2022)

08/08/2022	<u>31</u>	ORDER of USCA as to <u>28</u> Notice of Appeal filed by Sharon D Hardman: The Clerk of the district court is requested to forward to this Court forthwith any portions of the original record which are not available in an electronic format through PACER. (jbh) (Entered: 08/09/2022)
08/22/2022	<u>32</u>	USCA JUDGMENT as to <u>28</u> Notice of Appeal filed by Sharon D Hardman: This appeal is dismissed for lack of jurisdiction as the appeal is untimely. (jbh) (Additional attachment(s) added on 8/23/2022: # <u>1</u> Revised Cover Letter) (cmn). (Entered: 08/22/2022)
08/23/2022	<u>33</u>	NOTICE OF DOCKET CORRECTION re <u>32</u> USCA Judgment. CORRECTION: The original cover letter was attached to the docket in error. The revised cover letter was added as an attachment to <u>32</u> docket entry and is attached hereto for service/review by the parties. (cmn) (Entered: 08/23/2022)
09/09/2022	<u>34</u>	Transcript of Motion for Summary Judgment Hearing filed for the date of 4/2/2021, before Judge Lee P. Rudofsky, re <u>28</u> Notice of Appeal. Court Reporter Stephen Franklin. Transcript may be viewed only at the public terminals in the Clerk's office. Copies of transcript are only available through the Official Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Request Redaction due 9/16/2022. Redaction Request due 9/30/2022. Redacted Transcript Deadline set for 10/11/2022. Release of Transcript Restriction set for 12/8/2022. (fcd) (Entered: 09/09/2022)
09/09/2022	<u>35</u>	Transmitted Record on Appeal to US Court of Appeals re <u>28</u> Notice of Appeal: Copy of <u>34</u> Transcript. (jbh) (Entered: 09/09/2022)
10/25/2022	<u>36</u>	MANDATE of USCA in accordance with the judgment of 8/22/2022 as to <u>28</u> Notice of Appeal filed by Sharon D Hardman. (jbh) (Entered: 10/25/2022)

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