

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-20960
Summary Calendar

LINDA DAVIS,

Plaintiff-Appellant,

versus

GREGORY HUNTSMAN and THE CITY OF HOUSTON POLICE DEPARTMENT,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-96-CV-2082
- - - - -

November 4, 1998

Before EMILIO M. GARZA, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

Linda Davis appeals the dismissal of her civil rights action against the City of Houston Police Department under Fed. R. Civ. P. 12(b). Although judgment was entered on October 6, 1997, Davis did not file her notice of appeal until November 6, 1997. Davis's notice of appeal from the district court's final judgment dismissing her complaint is untimely. Fed. R. App. P. 4(a)(1) (notice of appeal must be filed within 30 days after the date of entry of the judgment or order from which the appeal is taken). As a result, this appeal is DISMISSED.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.