

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-11058
Conference Calendar

ISAAC EUGENE GREEAR,

Plaintiff-Appellant,

versus

WACKENHUT CORRECTIONS CORPORATION;
J. E. MARR, DR.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:98-CV-542-A

- - - - -
August 25, 1999

Before KING, Chief Judge, and DAVIS and SMITH, Circuit Judges.

PER CURIAM:*

Isaac Eugene Greear, a Texas prisoner (# 798347), seeks to appeal the district court's dismissal on August 3, 1998, of his 42 U.S.C. § 1983 civil rights action. If necessary, this court must sua sponte determine whether it has appellate jurisdiction. Mosley v. Cozby, 813 F.2d 659, 660 (5th Cir. 1987). Greear's notice of appeal was filed on September 3, 1998, 31 days after the entry of judgment. Because the notice of appeal not filed within 30 days of the date of entry of the district court's

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

judgment, it was untimely. See FED. R. APP. P. 4(a)(1). We DISMISS this appeal for lack of appellate jurisdiction.

APPEAL DISMISSED.