

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

---

**EMELIA A. FORD,**  
*Claimant-Appellant,*

v.

**ERIC K. SHINSEKI, SECRETARY OF VETERANS  
AFFAIRS,**  
*Respondent-Appellee.*

---

2010-7063

---

Appeal from the United States Court of Appeals for  
Veterans Claims in case no. 08-140, Judge Mary J. Schoe-  
len.

---

Before RADER, FRIEDMAN, and GAJARSA, *Circuit Judges.*

PER CURIAM.

**ORDER**

Emelia A. Ford responds to the court's order directing her to show cause why her appeal should not be dismissed as untimely. The Secretary of Veterans Affairs also responds.

The Court of Appeals for Veterans Claims entered judgment in this case on November 17, 2009. The docket sheet of the Court of Appeals for Veterans Claims indi-

cates that that court received Ford's notice of appeal on February 22, 2010, or 95 days after entry of judgment.

Any appeal of the judgment had to be received by the Court of Appeals for Veterans Claims within 60 days of the date of entry of judgment. 38 U.S.C. § 7292(a); 28 U.S.C. § 2107(b); Fed. R. App. P. 4(a)(1). Thus, we do not have jurisdiction and this appeal must be dismissed. See *Bowles v. Russell*, 551 U.S. 205 (2007) (the timely filing of a notice of appeal in a civil case is a jurisdictional requirement); *Sofarelli Assoc., Inc. v. United States*, 716 F.2d 1395 (Fed. Cir. 1983).

Accordingly,

IT IS ORDERED THAT:

- (1) The appeal is dismissed.
- (2) Each side shall bear its own costs.

FOR THE COURT

MAY 19 2010

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Emelia A. Ford  
Shelly D. Weger, Esq.

s20

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

MAY 19 2010

JAN HORBALY  
CLERK