

NOTE: This order is nonprecedential.

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

TAYLOR REED,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2025-1423

Appeal from the United States Court of Federal Claims
in No. 1:24-cv-01558-EGB, Senior Judge Eric G. Bruggink.

ON MOTION

Before TARANTO, WALLACH, and CUNNINGHAM, *Circuit
Judges.*

PER CURIAM.

O R D E R

The United States moves to dismiss this appeal as untimely. Taylor Reed does not respond but files an opening brief.

On November 20, 2024, the United States Court of Federal Claims dismissed Ms. Reed's complaint for lack of

subject-matter jurisdiction and as frivolous. Judgment was entered on November 21, 2024. The Court of Federal Claims received Ms. Reed's notice of appeal on February 5, 2025, 76 days after entry of judgment. The government now moves to dismiss the appeal as untimely.

To be timely, a notice of appeal must be received by the Court of Federal Claims within 60 days of the entry of judgment. *See* 28 U.S.C. § 2522 (“Review of a decision of the United States Court of Federal Claims shall be obtained by filing a notice of appeal . . . within the time . . . prescribed for appeals to the United States courts of appeals from the United States district courts.”); 28 U.S.C. § 2107(b) (providing a 60-day deadline for appeals from district courts in cases involving the United States); Fed. R. App. P. 4(a)(1)(B); Fed. Cir. R. 1(a)(1)(C). The statutory deadline for taking an appeal from the Court of Federal Claims has been held to be mandatory and jurisdictional, such that this court would not be permitted to excuse a late notice. *Marandola v. United States*, 518 F.3d 913, 914 (Fed. Cir. 2008); *cf. Henderson v. Shinseki*, 562 U.S. 428, 438–39 (2011); Fed. R. App. P. 26(b)(1). Here, the notice of appeal was due no later than January 21, 2025. Fed. R. App. P. 26(a)(1)(C). Because the notice of appeal was not received within that time, we lack jurisdiction and must dismiss.

Accordingly,

IT IS ORDERED THAT:

(1) The motion is granted. The appeal is dismissed.

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(2) Each party shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

April 28, 2025
Date