

NOTE: This order is nonprecedential.

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

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**ENAMUL HAQE CHOWDHURY,**  
*Plaintiff-Appellant*

v.

**UNITED STATES,**  
*Defendant-Appellee*

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2025-1918

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Appeal from the United States Court of Federal Claims  
in No. 1:24-cv-01544-AOB, Judge Armando O. Bonilla.

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**ON MOTION**

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Before LOURIE, PROST, and CHEN, *Circuit Judges*.

PER CURIAM.

**O R D E R**

In response to this court's August 7, 2025 order directing the parties to show cause, the United States argues the case should be dismissed as untimely. Enamul Haqe Chowdhury submits his opening brief, in which he urges the court to apply "equitable tolling." ECF No. 7 at 3. He separately moves for leave to proceed *in forma pauperis*.

On October 2, 2024, the United States Court of Federal Claims entered judgment dismissing Mr. Chowdhury's complaint. The Court of Federal Claims received Mr. Chowdhury's notice of appeal on July 3, 2025, 274 days after entry of judgment.

The timely filing of a notice of appeal from a final judgment of the Court of Federal Claims is a jurisdictional requirement that cannot be waived and is not subject to equitable tolling. *Marandola v. United States*, 518 F.3d 913, 914 (Fed. Cir. 2008); *cf. Henderson v. Shinseki*, 562 U.S. 428, 438–39 (2011). Mr. Chowdhury had 60 days to file his notice of appeal from the Court of Federal Claims's judgment, *see* 28 U.S.C. §§ 2107(b), 2522; Fed. R. App. P. 4(a)(1)(B); Fed. Cir. R. 1(a)(1)(C), but he failed to do so. Thus, we lack jurisdiction to review the final judgment and must dismiss.

Accordingly,

IT IS ORDERED THAT:

- (1) The appeal is dismissed.
- (2) All pending motions are denied.
- (3) Each party shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

September 26, 2025

Date