

NOTE: This order is nonprecedential.

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

ANTONIO LETRELL BROWN,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2026-1179

Appeal from the United States Court of Federal Claims
in No. 1:25-cv-00737-LAS, Senior Judge Loren A. Smith.

PER CURIAM.

O R D E R

On August 25, 2025, the United States Court of Federal Claims entered judgment dismissing Antonio Letrell Brown's complaint for lack of subject matter jurisdiction. Mr. Brown's notice of appeal was received by the Court of Federal Claims on November 14, 2025. This court directed the parties to show cause whether the appeal should be dismissed as untimely. The United States urges dismissal. Mr. Brown did not respond to the court's show cause order. We now dismiss.

To be timely, a notice of appeal must typically be received by the Court of Federal Claims within 60 days of the entry of the final judgment. 28 U.S.C. §§ 2107(b), 2522; Fed. R. App. P. 4(a)(1)(B); Fed. Cir. R. 1(a)(1)(C). This statutory deadline is mandatory and jurisdictional, such that we may not excuse a late notice. *Marandola v. United States*, 518 F.3d 913, 914 (Fed. Cir. 2008); *see also Hender-son v. Shinseki*, 562 U.S. 428, 438–39 (2011); *cf.* Fed. R. App. P. 26(b)(1). Because the notice of appeal was not received within that time, we lack jurisdiction and must dis-
miss.¹

Accordingly,

IT IS ORDERED THAT:

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

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

March 23, 2026
Date

¹ Although it appears Mr. Brown was incarcerated at the time he filed his notice, he has not submitted any declaration or evidence establishing that he deposited his notice of appeal in the institution's mail system with first-class postage prepaid on or before the last day for filing. Fed. R. App. P. 4(c); Fed. Cir. R. 1(a)(1)(C).