

NOTE: This order is nonprecedential.

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

DOLI SYARIEF PULUNGAN,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2012-5110

Appeal from the United States Court of Federal
Claims in case no. 11-CV-193, Senior Judge James F.
Merow.

ON MOTION

Before LINN, DYK, and WALLACH, *Circuit Judges.*

PER CURIAM.

ORDER

The United States moves to dismiss this appeal for
lack of jurisdiction. Doli Pulungan has not filed a re-
sponse.

DOLI PULUNGAN v. US

2

In March 2008, Pulungan filed an appeal in the United States Court of Federal Claims. On November 15, 2011, the court dismissed Pulungan's claim for lack of jurisdiction and entered final judgment. The court received Pulungan's notice of appeal on July 6, 2012, 234 days after the date of judgment.

Rule 4(a)(1)(B) of the Federal Rules of Appellate Procedure govern the time for filing a notice of appeal from a judgment of the Court of Federal Claims. Fed. R. App. P. 4(a)(1)(B); *see also Sofarelli Associates, Inc. v. U.S.*, 716 F.2d 1395, 1396 (Fed. Cir. 1983).

The statutory deadline for taking an appeal from the United States Court of Federal Claims to this court is jurisdictional and mandatory. *See Sofarelli*, 716 F.2d at 1396; *see also Bowles v. Russell*, 551 U.S. 205, 213-14 (2007). We have no authority to create equitable exceptions for untimely notices of appeal. *Id.*

Because this appeal is untimely, we grant the motion.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion to dismiss is granted.
- (2) All other pending motions are denied as moot.
- (3) Each side shall bear its own costs.

FOR THE COURT

OCT 16 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

3

DOLI PULUNGAN v. US

cc: Doli Syarief Pulungan
Sonia Marie Orfield, Esq.

s26

Issued As A Mandate: OCT 16 2012