

NOTE: This order is nonprecedential.

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

SOMONA LOFTON,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2023-1632

Appeal from the United States Court of Federal Claims
in No. 1:21-cv-01348-MBH, Senior Judge Marian Blank
Horn.

PER CURIAM.

O R D E R

Following this court's May 9, 2023, order to show cause,
we dismiss this appeal as untimely.

On March 16, 2023, Somona Lofton filed her notice of
appeal from the final judgment of the United States Court
of Federal Claims entered in June 2021. A party must file
an appeal within 60 days of the final judgment or order be-
ing appealed from the Court of Federal Claims. *See* 28
U.S.C. §§ 2107, 2522; Fed. R. App. P. 4(a)(1)(B); Fed. Cir.
R. 1(a)(1)(C). This time limit is "a jurisdictional

requirement” and “not subject to equitable tolling.” *Marandola v. United States*, 518 F.3d 913, 914 (Fed. Cir. 2008) (citation omitted). Here, Ms. Lofton did not appeal within the required 60 days, and thus we lack jurisdiction.

Accordingly,

IT IS ORDERED THAT:

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

FOR THE COURT

June 28, 2023

Date

/s/ Jarrett B. Perlow

Jarrett B. Perlow
Acting Clerk of Court