

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 98-4268

Charles Armstrong,

Appellant,

v.

Walgreens, Inc.; Walgreens Health
Plus, Inc.,

Appellees.

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Appeal from the United States
District Court for the Eastern
District of Missouri.

[UNPUBLISHED]

Submitted: January 6, 2000

Filed: January 18, 2000

Before BEAM, LOKEN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Charles Armstrong appeals the district court's¹ order dismissing his pro se complaint against Walgreens, Inc. and Walgreens Health Plus, Inc. under 28 U.S.C. § 1915(e)(2)(B). We conclude Mr. Armstrong's appeal is untimely because his notice of appeal was not filed within thirty days of the dismissal order. See Fed. R. App. P. 4(a)(1)(A) (notice of appeal must be filed within 30 days after entry of judgment or

¹The Honorable Donald J. Stohr, United States District Judge for the Eastern District of Missouri.

order being appealed); Campbell v. White, 721 F.2d 644, 645 (8th Cir. 1983) (notice of appeal received 32 days after judgment's entry was untimely and could not be considered as motion for extension of time under Fed. R. App. P. 4(a)(5)). Accordingly, we dismiss the appeal as untimely.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.