

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

March 13, 2008

Charles R. Fulbruge III
Clerk

No. 07-60525
Summary Calendar

HOWARD GOBER,

Plaintiff-Appellant,

v.

CHASE BANK,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Mississippi
No. 3:06-cv-299

Before SMITH, BARKSDALE, and ELROD, Circuit Judges.

PER CURIAM:*

Appellant Howard Gober sued JPMorgan Chase Bank ("Chase Bank") in the United States District Court for the Southern District of Mississippi, seeking review of adverse decisions by the Mississippi Supreme Court and the Mississippi Court of Appeals. The district court dismissed Gober's suit as barred by the Rooker/Feldman doctrine on January 29, 2007. See *Rooker v. Fid. Trust Co.*, 263 U.S. 413 (1923); *Dist. of Columbia Court of Appeals v. Feldman*, 460

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

U.S. 462 (1983). More than three months later, Gober filed a motion to reopen the time to file an appeal, claiming that he did not receive notice of the judgment until May 7, 2007. The district court denied the motion, and this appeal followed.

Federal Rule of Appellate Procedure 4(a)(6) permits a district court to reopen the time to file an appeal only if the court finds, among other things, "that the moving party did not receive notice under Federal Rule of Civil Procedure 77(d) of the entry of the judgment or order sought to be appealed within 21 days after entry." As the district court's records reflect that notice of the judgment was timely mailed to Gober's home address, the court did not abuse its discretion in finding that he failed to satisfy this requirement of Rule 4(a)(6). Accordingly, the district court's order denying Gober's motion to reopen the time to file an appeal is AFFIRMED.