NOT RECOMMENDED FOR PUBLICATION

No. 25-5592

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Nov 5, 2025
KELLY L. STEPHENS, Clerk

JEFFREY RYAN FENTON, Plaintiff-Appellant, v. VIRGINIA LEE STORY, individually and in their official capacities, Defendants-Appellees.	))))))))))	ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

O R D E R

Before: BOGGS, SILER, and KETHLEDGE, Circuit Judges.

This matter is before the court upon a motion to dismiss by defendants-appellees.

Jeffrey Ryan Fenton filed a civil action relating to his state-court divorce proceedings and a proceeding in the United States Bankruptcy Court. The district court granted motions to dismiss by the defendants-appellees on March 26, 2025, and entered a final judgment. Fenton moved for reconsideration; the district court denied that motion on May 19, 2025. On June 20, 2025, Fenton filed a notice of appeal.

Defendants-appellees Roy Patrick Marlin and McArther Sanders Real Estate, Inc., move to dismiss the appeal for lack of jurisdiction due to a late notice of appeal. They argue that Fenton had 30 days from the denial of his motion for reconsideration on May 19, 2025—or until June 18, 2025, within which to file his notice of appeal. They assert that the notice of appeal filed on June 20, 2025, is late and deprives this court of jurisdiction.

In general, in a civil case where neither the United States, a United States agency, nor a United States officer or employee is a party, a notice of appeal must be filed within 30 days after

the judgment or order appealed from is entered. 28 U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A). If, however, the United States, a United States agency, or a United States officer or employee is a party, an appellant must file a notice of appeal within 60 days. *See* 28 U.S.C. § 2107(b); Fed. R. App. P. 4(a)(1)(B).

Fenton sued numerous defendants. One of those defendants was United States Bankruptcy Court Judge Charles Walker. Because Judge Walker is an officer or employee of the United States, Fenton had 60 days within which to timely file his notice of appeal. Accordingly, his notice of appeal is timely.

The motion to dismiss for lack of jurisdiction is therefore **DENIED**.

ENTERED BY ORDER OF THE COURT

Kelly L. Stephens, Clerk