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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

BASIE & FRITZ, Plaintiff - Appellee, v. CLAUDIA HOUSTON, Defendant - Appellant.	No. 07-55842 D.C. No. CV-06-01087-WQH MEMORANDUM [*]

Appeal from the United States District Court
for the Southern District of California
William Q. Hayes, District Judge, Presiding

Submitted April 13, 2009 [**]

Before: GRABER, GOULD, and BEA, Circuit Judges.

Claudia Houston appeals pro se from the district court's judgment dismissing this collection action for lack of subject matter jurisdiction. We dismiss the appeal for lack of jurisdiction because Houston's notices of appeal were

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[*] This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

[**] The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

untimely. Houston's first notice of appeal was filed 36 days after entry of judgment. *See* Fed. R. App. P. 4(a)(1)(A). Houston's second notice of appeal was filed more than 14 days after entry of the district court's order reopening the time to file an appeal. *See* Fed. R. App. P. 4(a)(6). "A timely notice of appeal is a non-waivable jurisdictional requirement." *Stephanie-Cardona LLC v. Smith's Food & Drug Ctrs., Inc.*, 476 F.3d 701, 703 (9th Cir. 2007).

DISMISSED.