

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

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Clerk

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Filed: July 25, 2022

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Washington, DC 20006

Ms. Flordeliza A. Hawkins  
735 Berkshire Place  
Oxnard, CA 93033

Ms. Karima Maloney  
Smyser, Kaplan & Veselka  
717 Texas Avenue  
Suite 2800  
Houston, TX 77002

Re: Case No. 22-1393, *Flordeliza Hawkins v. Claimants' Advisory Committee, et al*  
Originating Case No. : J:21-cv-10764

Dear Counsel,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Ryan E. Orme  
Case Manager  
Direct Dial No. 513-564-7079

cc: Ms. Kinikia D. Essix

Enclosure

**NOT RECOMMENDED FOR PUBLICATION**

No. 22-1393

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

**FILED**  
Jul 25, 2022  
DEBORAH S. HUNT, Clerk

FLORDELIZA A. HAWKINS,	)	
	)	
Plaintiff-Appellant,	)	
	)	
v.	)	ON APPEAL FROM THE UNITED
	)	STATES DISTRICT COURT FOR
CLAIMANTS’ ADVISORY COMMITTEE, et al.,	)	THE EASTERN DISTRICT OF
	)	MICHIGAN
Defendants-Appellees,	)	
	)	
and	)	
	)	
DEBTOR’S REPRESENTATIVES, et al.,	)	
	)	
Intervenors-Appellees.	)	
	)	
	)	

ORDER

Before: GUY, DONALD, and BUSH, Circuit Judges.

“Every federal appellate court has a special obligation to satisfy itself . . . of its own jurisdiction . . .” *Alston v. Advanced Brands & Importing Co.*, 494 F.3d 562, 564 (6th Cir. 2007) (quoting *Steel Co. v. Citizens for a Better Env’t*, 523 U.S. 83, 95 (1998)). Generally, in a civil case where the United States, a United States agency, or a United States officer or employee is not 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); *see also* Fed. R. App. P. 4(a)(1)(A).

Flordeliza A. Hawkins filed a civil action arising out of the resolution of a claim that she filed in connection with the Dow Corning Corporation bankruptcy case. On October 19, 2021, the

No. 22-1393

- 2 -

district court entered a judgment dismissing Hawkins’s action. Hawkins filed a notice of appeal on January 4, 2022, which was late. We dismissed her appeal for lack of jurisdiction. *Hawkins v. Claimants’ Advisory Comm.*, No. 22-1037 (6th Cir. Feb. 10, 2022).

On March 23, 2022, Hawkins filed a “Notice of Motion and Motions” in the district court, asking the court to reconsider her claims. On April 8, 2022, the district court construed the motion as a Federal Rule of Civil Procedure 59(e) motion and denied it, finding that it was untimely and that it lacked merit. On April 19, 2022, Hawkins filed a notice of appeal.

To the extent that Hawkins seeks review of the October 19, 2021, judgment, the appeal is late. Although a timely filed Rule 59(e) motion tolls the period for filing an appeal, Fed. R. App. P. 4(a)(4)(A)(iv), Hawkins’s Rule 59(e) motion was filed out of time and does not have the same effect. *Nat’l Ecological Found. v. Alexander*, 496 F.3d 466, 474 (6th Cir. 2007).

Accordingly, the appeal is **DISMISSED** for lack of appellate jurisdiction to review the October 19, 2021, judgment. Hawkins’s appeal from the district court’s order denying her Rule 59(e) motion is timely filed, *see* 28 U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A), and this court has jurisdiction under 28 U.S.C. § 1291. Only issues regarding the April 8, 2022, order may be raised on appeal.

ENTERED BY ORDER OF THE COURT



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Deborah S. Hunt, Clerk