

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-1198

FRANKLIN C. REAVES, Ph.D., and others similarly situated,

Plaintiff - Appellant,

v.

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES, Willie D. Reaves; HYBERT N. STRICKLAND, individually and in his official capacity; SHERRY RHODES, individually and in her official capacity as Clerk of Court of Marion County; MARION COUNTY SHERIFF'S DEPARTMENT; MARK RICHARDSON, individually and in his official capacity as Sheriff of Marion County; DEPUTY SMITH, individually and in his official capacity; DEPUTY DAVIS, individually and in his official capacity; MARION COUNTY JAIL; MARION COUNTY PRISON FARM, TIM HARPER, individually and in his official capacity as Marion County Administrator,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence. Terry L. Wooten, District Judge.
(4:08-cv-00576-TLW)

Submitted: June 18, 2009

Decided: June 23, 2009

Before NIEMEYER, GREGORY, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Franklin C. Reaves, Ph.D., Appellant Pro Se. Robert Thomas King, WILLCOX BUYCK & WILLIAMS, PA, Florence, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Franklin C. Reaves seeks to appeal the district court's order denying his motion for reconsideration pursuant to Federal Rule of Civil Procedure 60(b). We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded thirty days after the entry of the district court's final judgment or order to note an appeal, Fed. R. App. P. 4(a)(1)(A), unless the district court extends the appeal period, Fed. R. App. P. 4(a)(5), or reopens the appeal period, Fed. R. App. P. 4(a)(6). "[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement." Bowles v. Russell, 551 U.S. 205, ___, 127 S. Ct. 2360, 2366 (2007).

The district court's order was entered on the docket on January 20, 2009. The notice of appeal was filed on February 20, 2009. Because Reaves failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED