

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-7462**

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DARIOUS LAMONT MOORE,

Plaintiff - Appellant,

v.

STATE OF SOUTH CAROLINA; SUPREME COURT, in the County of  
Columbia; COURT OF APPEALS, in the County of Sumter,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Anderson. Richard Mark Gergel, District  
Judge. (8:12-cv-03584-RMG)

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Submitted: December 17, 2013

Decided: December 20, 2013

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Before KING, GREGORY, and WYNN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Darious Lamont Moore, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Darious Lamont Moore seeks to appeal the district court's text order denying Moore's motion to compel discovery in his previously dismissed 42 U.S.C. § 1983 (2006) civil rights action. 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 under Fed. R. App. P. 4(a)(5), or reopens the appeal period under 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, 214 (2007).

The district court's order was entered on the docket on June 13, 2013. The notice of appeal was filed on September 10, 2013.\* Because Moore 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

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\* For the purpose of this appeal, we assume that the date appearing on the notice of appeal is the earliest date it could have been properly delivered to prison officials for mailing to the court. Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266 (1988).

in the materials before this court and argument would not aid the decisional process.

DISMISSED