

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1005

ARKALGUD N. LAKSHMINARASIMHA,

Plaintiff - Appellant,

v.

JAMES COLE, both individually and in his official capacity as Dep AG; MATTHEW FESAK, both individually and in his official capacity as AUSA; ROY COOPER, both individually and in his official capacity as NC AG; JIM FERGUSON, both individually and in his official capacity as DA; DEBRA SASSER, Judge; RACHEL CAMPBELL, both individually and in her official capacity; HELEN OLIVER, both individually and in her official capacity; RONALD TAYLOR, HR; DEPARTMENT OF JUSTICE; LAURA TRIPP, both individually and in her official capacity as AUSA; NEAL KATYAL, both individually and in his official capacity as OSG; CHITRA MURTHY; UNITED STATES NAVY; JAMES HENDERICK; WILLIAM ROBERTS; UNITED STATES PATENT & TRADEMARK OFFICE; AIRTRAN AIRWAYS, INCORPORATED,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, Senior District Judge. (5:12-cv-00029-H)

Submitted: March 27, 2014

Decided: April 2, 2014

Before SHEDD, DUNCAN, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Arkalgud N. Lakshminarasimha, Appellant Pro Se. Seth Morgan Wood, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina; Grady L. Balentine, Jr., Special Deputy Attorney General, Raleigh, North Carolina; Sean Gilligan Delaney, DELANEY LAW FIRM, P.A., Raleigh, North Carolina; Curtis Hudson Allen, III, THARRINGTON SMITH LLP, Raleigh, North Carolina; Thomas G. Hooper, NELSON MULLINS RILEY & SCARBOROUGH, LLP, Charlotte, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Arkalgud N. Lakshminarasimha seeks to appeal the district court's order striking from the docket his May 10, 2013 memorandum. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

When the United States or its officer or agency is a party, the notice of appeal must be filed no more than sixty days after the entry of the district court's final judgment or order, Fed. R. App. P. 4(a)(1)(B), 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 May 20, 2013. The notice of appeal was filed on December 24, 2013. Because Lakshminarasimha failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We deny Lakshminarasimha's motion for leave to file electronically and dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED