

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-7712

ROBERT W. JOHNSON,

Plaintiff - Appellant,

v.

JAY VANNOY; DAVID B. FREEDMAN; TOM E. HORNE; LEIGH C.
BRICKER,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Statesville. Frank D. Whitney,
Chief District Judge. (5:14-cv-00055-FDW)

Submitted: February 25, 2015

Decided: March 2, 2015

Before NIEMEYER, KING, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Robert W. Johnson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert W. Johnson seeks to appeal the district court's order dismissing as frivolous his 42 U.S.C. § 1983 (2012) complaint under 28 U.S.C. § 1915(e)(2)(B) (2012). 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 September 29, 2014. The notice of appeal was filed on November 13, 2014. See Houston v. Lack, 487 U.S. 266, 276 (1988). Because Johnson failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We also deny Johnson's motion for appointment of counsel. We 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