

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6151

ABDULLAH AL-AMIN, a/k/a Harry Courtney,

Plaintiff - Appellant,

v.

HANCECROTH, Dr., Orthopedic Surgen; THOMPSON, Dr., M.D., Lunenburg Correctional Center; EZIBO, Dr., Greenville Correctional Center (1994); KENDRICKS, Dr., M.D., Greenville Correctional Center; OFOGH, Dr., M.D., Lunenburg Correctional Center; CASWELL, Dr., M.D., University of Virginia, Health Systems Radiology Department; KAUSHIK, Dr., M.D., Lunenburg Correctional Center; KONA, Dr., M.D., Lunenburg Correctional Center (2002); HARVARD STEPHENS, Dr., Head Physician, Virginia Department of Corrections; KEITH DAVIS, Warden, Deerfield Correctional Center; FRED SCHILLING, Director Health Services, Virginia Department of Corrections; BENITA BADGETTE, RN, Health Administrator, Deerfield Correctional Center; OMEZIE AJUMOBI, Dr., M.D., Deerfield Correctional Center (2007-2009),

Defendants - Appellees,

and

UNKNOWN, Head Nurse from 1986-1991, Nottoway Correctional Center,

Defendant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Henry E. Hudson, District Judge. (3:11-cv-00859-HEH)

Submitted: March 10, 2015

Decided: April 2, 2015

Before WYNN, DIAZ, and FLOYD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Abdullah Al-Amin, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Abdullah Al-Amin seeks to appeal the district court's order accepting the recommendation of the magistrate judge and dismissing his complaint brought under 42 U.S.C. § 1983. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded 30 days after the entry of the district court's final judgment or order to note an appeal, unless the district court extends or reopens the appeal period. Fed. R. App. P. 4(a)(1)(A), (a)(5), (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 11, 2013. The notice of appeal was filed on January 16, 2015.* Because Al-Amin failed to file a timely notice of appeal or to timely obtain an extension or reopening of the appeal period, we dismiss the appeal. We deny the motion for an injunction pending appeal as moot. We dispense with oral argument because the facts and legal contentions are adequately

* 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.

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

DISMISSED