

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7476

JAMES T. DICKERSON,

Petitioner - Appellant,

v.

LEROY CARTLEGE,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Beaufort. Terry L. Wooten, Chief District Judge. (9:14-cv-01577-TLW)

Submitted: December 17, 2015

Decided: December 22, 2015

Before DIAZ and HARRIS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

James T. Dickerson, Appellant Pro Se. Donald John Zelenka, Senior Assistant Attorney General, Kaycie Smith Timmons, Assistant Attorney General, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James T. Dickerson seeks to appeal the district court's order adopting the recommendation of the magistrate judge and dismissing his 28 U.S.C. § 2254 (2012) petition. 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, 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 8, 2015. The notice of appeal was filed on September 16, 2015.* Because Dickerson failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we deny leave to proceed in forma pauperis and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials

* This is the date that the notice of appeal was delivered to prison officials for mailing to the court. Fed. R. App. 4(c); Houston v. Lack, 487 U.S. 266 (1988).

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

DISMISSED