

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-6652**

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TAKAEUS MAKEON GRAHAM,

Plaintiff - Appellant,

v.

S. STALLARD; M. BROYLES; MS. BELCHER; STOUT; NATARCHA GREGG; WARDEN FLEMING; MARCUS ELAM; WELLS; B. BERG; C. W. FRANKS; J. FIELDS; A. GILBERT; B. RAVIZEE; J. COLLINS; S. COLLINS; ASSISTANT WARDEN J. COMBS; CARMONY; C. A. CAUDILL; C. KING; HAROLD CLARKE; A. DAVID ROBINSON; WALLENS RIDGE STATE PRISON; VIRGINIA DEPARTMENT OF CORRECTIONS,

Defendants - Appellees.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Elizabeth Kay Dillon, District Judge. (7:17-cv-00035-EKD-RSB)

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Submitted: July 18, 2019

Decided: July 23, 2019

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Before WILKINSON, AGEE, and THACKER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Takaeus Makeon Graham, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Takaeus M. Graham seeks to appeal the district court's order dismissing his 42 U.S.C. § 1983 (2012) action without prejudice for failure to provide the court with an updated address. 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 March 6, 2018. The notice of appeal was filed on April 19, 2019.\* Because Graham 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 in the materials before this court and argument would not aid the decisional process.

*DISMISSED*

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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).