

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-1649**

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JOHN MCSHEFFREY,

Plaintiff - Appellant,

v.

PAUL J. POWERS, Sued in his Individual and Official Capacities; JASON S. MIYARES, Sued in his Official Capacity; YANA TURNER, Sued in her Individual and Official Capacities,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Mark S. Davis, Chief District Judge. (2:22-cv-00080-MSD-RJK)

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Submitted: April 15, 2024

Decided: April 24, 2024

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Before AGEE and HARRIS, Circuit Judges, and KEENAN, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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John McSheffrey, Appellant Pro Se. Jeff W. Rosen, PENDER & COWARD, PC, Virginia Beach, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John McSheffrey seeks to appeal the district court's order dismissing his 42 U.S.C. § 1983 action. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

In civil cases, parties have 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 entered its order on May 15, 2023, and the appeal period expired on June 14, 2023. McSheffrey filed the notice of appeal on June 15, 2023. Because McSheffrey failed to file a timely notice of appeal or 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*