

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 06-7625**

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RONNIE DARNELL JONES,

Plaintiff - Appellant,

versus

ROBERT DALY, Director, Anderson County  
Detention Center; MS. ROUNDTREE, Head Nurse,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Columbia. Terry L. Wooten, District Judge.  
(3:05-cv-01715-TLW)

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Submitted: February 22, 2007

Decided: March 2, 2007

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Before WILLIAMS, MOTZ, and SHEDD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Ronnie Darnell Jones, Appellant Pro Se. Steven Michael Pruitt,  
MCDONALD, PATRICK, TINSLEY, BAGGETT & POSTON, Greenwood, South  
Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ronnie Darnell Jones seeks to appeal the district court's order accepting the recommendation of the magistrate judge and dismissing his 42 U.S.C. § 1983 (2000) complaint. 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). This appeal period is "mandatory and jurisdictional." Browder v. Dir., Dep't of Corr., 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)).

The district court's order was entered on the docket on April 7, 2006. The notice of appeal was filed on September 13, 2006.\* Because Jones failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we grant the Appellees' motion to dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately

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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).

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

DISMISSED