

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-2279

EVELYN DOVE COLEMAN,

Plaintiff - Appellant,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern
District of North Carolina, at New Bern. Louise W. Flanagan,
District Judge. (4:09-cv-00032-FL)

Submitted: February 16, 2012

Decided: February 21, 2012

Before SHEDD, KEENAN, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Evelyn Dove Coleman, Appellant Pro Se. Elisa Frances Donohoe,
Special Assistant United States Attorney, Baltimore, Maryland,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Evelyn Dove Coleman seeks to appeal the district court's order adopting the recommendation of the magistrate judge and denying her motions to remand and to compel and granting the defendant's motions to set aside the judgment and to dismiss. Coleman also seeks to appeal the district court's denial of her motions to reconsider. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

When the United States or its officer or agency is a party, the notice of appeal must be filed no more than sixty days after the entry of the district court's final judgment or order, Fed. R. App. P. 4(a)(1)(B), 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 judgment was entered on September 13, 2010. The district court's order denying Coleman's motions to reconsider was entered on November 11, 2010. The notice of appeal was filed on August 5, 2011. Because Coleman 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 the court and argument would not aid the decisional process.

DISMISSED