

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-7138

ARTHUR RODGERS,

Plaintiff - Appellant,

v.

BOBBY SHEARIN, Warden,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Catherine C. Blake, District Judge. (1:09-cv-01962-CCB)

Submitted: February 9, 2012

Decided: February 13, 2012

Before WILKINSON, AGEE, and FLOYD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Arthur Rodgers, Appellant Pro Se. Sarah Whyne Finnegan Rice, Stephanie Judith Lane Weber, OFFICE OF THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Arthur Rodgers, a Maryland inmate, seeks to appeal the district court's order denying his motions for injunctive and other relief and the appointment of counsel. 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 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 denying injunctive relief was entered on the docket on June 8, 2011. The notice of appeal was filed on August 21, 2011.* Because Rodgers failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We deny as moot the pending motion to consolidate this case with appeal number 11-7359, which has been dismissed. We dispense with oral

* For the purpose of this appeal, we assume that the date indicated in the certificate of service is the date the notice of appeal was delivered to prison officials for mailing to the court. Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266 (1988).

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