

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7821

CLIFFORD ANTHONY JACKSON,

Plaintiff - Appellant,

v.

BEVERLY SALMON,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Peter J. Messitte, Senior District Judge. (8:12-cv-02187-PJM)

Submitted: April 18, 2013

Decided: April 30, 2013

Before MOTZ, DAVIS, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Clifford Anthony Jackson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clifford Anthony Jackson seeks to appeal the district court's order dismissing his 42 U.S.C. § 1983 (2006) 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). "[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 August 1, 2012. It was incumbent upon Jackson to file his notice of appeal by August 31, 2012. Jackson filed a letter in this court dated September 11, 2012, which we construed as a notice of appeal.* See Fed. R. App. P. 4(d) (a notice of appeal mistakenly filed in the court of appeals is considered filed in the district court on the date so noted). Jackson then filed a self-described notice of appeal on September 20, 2012, at the

* For the purpose of this appeal, we assume that the date appearing on this 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).

earliest. Because both notices of appeal were untimely filed and Jackson failed 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