

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1800

ANTHONY LAMAR WRIGHT, a/k/a Anthony L. Wright,

Plaintiff - Appellant,

v.

JOANNE CONLEY, in her individual capacity; DEBRA BRABHAM, in her individual capacity; WARDEN MACKIE, in his individual capacity; DR. MOORE, in his individual capacity; CHUCK FRAZIER, in his individual capacity,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence. Terry L. Wooten, Chief District Judge. (4:10-cv-02444-TLW)

Submitted: September 16, 2013 Decided: September 20, 2013

Before MOTZ, GREGORY, and DIAZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Anthony Lamar Wright, Appellant Pro Se. Matthew David Cavender, GRIFFITH, SADLER & SHARP, PA, Beaufort, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Lamar Wright seeks to appeal the district court's margin order denying his Fed. R. Civ. P. 60(b) motion for reconsideration of the court's prior order adopting the magistrate judge's recommendation to dismiss his 42 U.S.C. § 1983 (2006) civil rights action for failure to exhaust his administrative remedies. 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 May 22, 2013. Accordingly, the latest day for filing a timely notice of appeal was Friday, June 21, 2013. See Fed. R. App. P. 26(a)(1). Wright's notice of appeal, however, was not received for filing until Monday, June 24, 2013. Because Wright failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we are constrained to dismiss the appeal as untimely. 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