

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2043

NATHANIEL MAGWOOD,

Plaintiff - Appellant,

v.

UNITED STATES DISTRICT COURT; CITY OF CHARLESTON POLICE
DEPARTMENT; CHARLESTON COUNTY POLICE DEPARTMENT,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Charleston. David C. Norton, District Judge.
(2:13-cv-00307-DCN)

Submitted: October 22, 2013

Decided: October 24, 2013

Before WILKINSON, NIEMEYER, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Nathaniel Magwood, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Nathaniel Magwood seeks to appeal the district court's order and judgment adopting the magistrate judge's report and recommendation and dismissing Magwood's civil rights complaint without prejudice. 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 order was entered on the docket on March 7, 2013. The notice of appeal was filed on August 19, 2013. Because Magwood failed to file a timely notice of appeal or obtain an extension or reopening of the appeal period, we dismiss the appeal. We also deny Magwood's motion to amend. 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