

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-6449

KELVIN J. MILES,

Petitioner - Appellant,

v.

UNITED STATES OF AMERICA,

Respondent - Appellee.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Alexander Williams, Jr., District Judge. (8:12-cv-02045-AW)

Submitted: June 17, 2013

Decided: July 9, 2013

Before KEENAN, WYNN, and FLOYD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Kelvin J. Miles, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kelvin J. Miles seeks to appeal the district court's orders denying his 28 U.S.C. § 2241 (2006) petition and denying his Fed. R. Civ. P. 59(e) motion for reconsideration. 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 denying Miles' § 2241 petition was entered on the docket on July 17, 2012, and the order denying the Rule 59(e) motion was entered on September 18, 2012. The notice of appeal was filed on March 21, 2013. Because Miles 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 this court and argument would not aid the decisional process.

DISMISSED