

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7977

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

FURMAN JONES, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Lacy H. Thornburg,
District Judge. (3:03-cr-00063-LHT-1)

Submitted: August 1, 2014

Decided: August 13, 2014

Before WILKINSON, KING, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Furman Jones, Jr., Appellant Pro Se. Robert John Gleason,
OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Furman Jones, Jr., seeks to appeal his conviction and sentence. At the time Jones' judgment of conviction was entered on the docket, the Federal Rules of Appellate Procedure required a defendant in a criminal case to file his notice of appeal within ten days of the entry of judgment. Fed. R. App. P. 4(b)(1)(A)(i). With or without a motion, upon a showing of excusable neglect or good cause, the district court may grant an extension of up to thirty days to file a notice of appeal. Fed. R. App. P. 4(b)(4); United States v. Reyes, 759 F.2d 351, 353 (4th Cir. 1985).

The district court entered judgment on January 25, 2005. Jones filed his notice of appeal on December 10, 2013. Because Jones failed to file a timely notice of appeal or obtain an extension of the appeal period, we dismiss the appeal as untimely.* We dispense with oral argument because the facts and legal contentions are adequately presented in the materials

* We note that the appeal period in a criminal case is not a jurisdictional provision, but, rather, a claim-processing rule. Bowles v. Russell, 551 U.S. 205, 209-14 (2007); Rice v. Rivera, 617 F.3d 802, 810 (4th Cir. 2010); United States v. Urutyan, 564 F.3d 679, 685 (4th Cir. 2009). Because Jones' appeal is inordinately late, and its consideration is not in the best interest of judicial economy, we exercise our inherent power to dismiss it. United States v. Mitchell, 518 F.3d 740, 744, 750 (10th Cir. 2008).

before this court and argument would not aid the decisional process.

DISMISSED