

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-6759

JEROME JULIUS BROWN, SR.,

Plaintiff - Appellant,

v.

OFFICER T.R. SEITZ, #46, Vienna PD; VIENNA TOWN POLICE,

Defendants - Appellees,

and

ADAM GOLHA, Magistrate; STAN BARRY, Sheriff,

Defendants.

Appeal from the United States District Court for the Eastern
District of Virginia, at Norfolk. Arenda L. Wright Allen,
District Judge. (2:12-cv-00283-AWA-TEM)

Submitted: October 9, 2014

Decided: October 20, 2014

Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Jerome Julius Brown, Sr., Appellant Pro Se. Julia Bougie
Judkins, BANCROFT, MCGAVIN, HORVATH & JUDKINS, PC, Fairfax,
Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jerome Julius Brown, Sr. seeks to appeal the district court's order dismissing his 42 U.S.C. § 1983 (2012) 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 March 31, 2014. The notice of appeal was filed on May 7, 2014.* Because Brown failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we deny him leave to proceed in forma pauperis, deny his pending motions as moot, and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately

* Even assuming that Brown was incarcerated within the meaning of Fed. R. App. P. 4(c) and Houston v. Lack, 487 U.S. 266 (1988), when he filed his notice of appeal, the envelope containing the notice of appeal was post-marked May 5, 2014, and Brown did not show timely filing by a declaration in compliance with 28 U.S.C. § 1746 (2012) or by a notarized statement.

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

DISMISSED