

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-2520

RUSSELL F. WALKER,

Plaintiff - Appellant,

v.

J.P. THOMAS & CO. INC.; TOWN OF ABERDEEN, NORTH CAROLINA;
OFFICER J. J. SMITH,

Defendants - Appellees.

Appeal from the United States District Court for the Middle
District of North Carolina, at Greensboro. Joe L. Webster,
Magistrate Judge. (1:14-cv-00738-JLW)

Submitted: February 25, 2016

Decided: February 29, 2016

Before SHEDD and HARRIS, Circuit Judges, and DAVIS, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Russell F. Walker, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Russell F. Walker seeks to appeal the magistrate judge's order dismissing his complaint with prejudice. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded 30 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 September 29, 2015. The notice of appeal was filed on December 7, 2015. Because Walker failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we deny leave to proceed in forma pauperis and 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