

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6069

HENRY CHRISTIAN OLSEN,

Petitioner - Appellant,

v.

RONALD J. ANGELONE,

Respondent - Appellee.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Glen E. Conrad, Chief
District Judge. (7:01-cv-00310-JCT)

Submitted: May 21, 2015

Decided: May 26, 2015

Before MOTZ, KING, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Henry Christian Olsen, Appellant Pro Se. Leah A. Darron, OFFICE
OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Henry Christian Olsen seeks to appeal the district court's order denying his Fed. R. Civ. P. 60(b) motion for reconsideration of the district court's order denying relief on his 28 U.S.C. § 2254 (2012) petition. We dismiss the appeal.

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 entered its final order on November 13, 2014. Olsen filed his notice of appeal on December 27, 2014,* and did not obtain an extension or reopening of the appeal period. Accordingly, Olsen's notice of appeal, filed more than 30 days after the denial of his Rule 60 motion to reconsider the denial of relief on his § 2254 petition, was untimely. Accordingly, we dismiss Olsen's appeal for lack of jurisdiction. We deny Olsen's motion for appointment of counsel and we

* For the purpose of this appeal, we assume that the date appearing on the notice of appeal, December 27, 2014, is the earliest date it could have been properly delivered to prison officials for mailing to the court. Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266, 276 (1988).

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