

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-6416

ANTHONY FIELDS,

Petitioner - Appellant,

v.

WARDEN STEVENS,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Rock Hill. Timothy M. Cain, District Judge. (0:13-cv-02679-TMC)

Submitted: July 21, 2015

Decided: July 24, 2015

Before WILKINSON and MOTZ, Circuit Judges, and DAVIS, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Anthony Fields, Appellant Pro Se. Donald John Zelenka, Senior Assistant Attorney General, William Edgar Salter, III, Assistant Attorney General, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Fields seeks to appeal the district court's order adopting the magistrate judge's recommendation and dismissing his 28 U.S.C. § 2254 (2012) petition and denying his Fed. R. Civ. P. 60(b) motion for reconsideration. 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 orders were entered on the docket on July 25, 2014 & February 5, 2015 respectively. The notice of appeal was filed on March 11, 2015.* Because Fields failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We deny Fields' motions for a certificate of appealability, to compel production of document, and for discovery. We dispense with oral argument

* For the purpose of this appeal, we assume that the date appearing on the notice of appeal 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 (1988).

because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED