

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7400

MATTHEW ANDERSON,

Plaintiff - Appellant,

v.

BERNARD MACKIE; MS. GASQUE,

Defendants - Appellees,

and

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS; SERGEANT
LIVINGSTON; SERGEANT CHESTNUT; MAJOR JACKSON; LIEUTENANT
GIBSON,

Defendants.

Appeal from the United States District Court for the District of
South Carolina, at Anderson. G. Ross Anderson, Jr., Senior
District Judge. (8:15-cv-01505-GRA)

Submitted: November 19, 2015

Decided: November 24, 2015

Before NIEMEYER, KING, and HARRIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Matthew Anderson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Matthew Anderson seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on Anderson's 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 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 July 14, 2015. The notice of appeal was filed on August 31, 2015.* Because Anderson failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately

* 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).

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

DISMISSED