

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1965

WILLIAM SCOTT DAVIS, JR., on behalf of and as next friend
of J.F.D., a minor,

Plaintiff - Appellant,

and

J.F.D., a minor,

Plaintiff,

v.

MELANIE A. SHEKITA, Individually and as a Wake County NC
Assistant District Attorney for the State of North Carolina;
MICHELLE SAVAGE, individually and as a Police Detective for
the Cary North Carolina Police Department; DANIELLE DOYLE,
individually and as a Wake County North Carolina Department
of Health and Human Services Child Protective Services
Social Worker; ERIC CRAIG CHASSE, individually and as a Wake
County North Carolina Family Court Judge; MIKE EASLEY,
individually and as Governor of the State of North Carolina;
BEVERLY PERDUE, individually and as Governor of the State of
North Carolina,

Defendants - Appellee.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. Malcolm J. Howard,
Senior District Judge. (5:12-cv-00504-H)

Submitted: November 22, 2016

Decided: November 29, 2016

Before DIAZ and THACKER, Circuit Judges, and DAVIS, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

William Scott Davis, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Scott Davis, Jr., seeks to appeal the district court's text order denying his Fed. R. Civ. P. 60(b) motion in a closed 42 U.S.C. § 1983 (2012) action. 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 May 5, 2016. The notice of appeal was filed on August 18, 2016.* Because Davis 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 presented in the

* 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).

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

DISMISSED