

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2128

DARNELL JOYCE ELAINE SIMMONS,

Plaintiff - Appellant,

v.

CAPE FEAR COMMUNITY COLLEGE; MARIA COOK; JOYCE SPEARS;
TOMMY HERRING; RHONDA TIGHE; KEN SEINO,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Wilmington. Terrence W. Boyle,
District Judge. (7:15-cv-00214-BO)

Submitted: February 16, 2017 Decided: February 21, 2017

Before GREGORY, Chief Judge, DUNCAN, Circuit Judge, and
HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Darnell Joyce Elaine Simmons, Appellant Pro Se. William Joseph
Austin, Jr., WARD & SMITH, PA, Raleigh, North Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Darnell Joyce Elaine Simmons seeks to appeal the district court's order dismissing this action pursuant to 28 U.S.C. § 1915(e)(2)(B) (2012). 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 November 12, 2015. The notice of appeal was filed on September 29, 2016. Because Simmons 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 materials before this court and argument would not aid the decisional process.

DISMISSED