

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2455

EDWARD EAVES,

Plaintiff - Appellant,

v.

CITY OF CHARLOTTE,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of North Carolina,
at Charlotte. Graham C. Mullen, Senior District Judge. (3:16-cv-00129-GCM)

Submitted: June 28, 2017

Decided: July 18, 2017

Before SHEDD, DUNCAN, and AGEE, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Edward Eaves, Appellant Pro Se. Daniel E. Peterson, CHARLOTTE CITY
ATTORNEY'S OFFICE, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Edward Eaves seeks to appeal the district court's order dismissing his employment discrimination complaint for failure to state a claim. The City of Charlotte has moved to dismiss Eaves' appeal as untimely 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 September 19, 2016. The notice of appeal was filed on December 27, 2016. Because Eaves failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we grant the City's motion to dismiss and dismiss the appeal for lack of jurisdiction. 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