

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-6835

SHAIN CLAUDE COLLINS,

Petitioner - Appellant,

v.

HAROLD W. CLARKE, Director, Department of Corrections,

Respondent - Appellee.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Glen E. Conrad, Chief
District Judge. (7:13-cv-00474-GEC)

Submitted: November 22, 2016

Decided: November 28, 2016

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

Remanded by unpublished per curiam opinion.

Shain Claude Collins, Appellant Pro Se. Craig Stallard,
Assistant Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shain Claude Collins seeks to appeal the district court's order denying his Fed. R. Civ. P. 60(b) motion. Collins argued in his notice of appeal, and the record suggests, that he did not timely receive notice of the entry of the district court's order, and further requested a reopening of the appeal period. See Fed. R. App. P. 4(a)(6)(A). Because the 30-day appeal period is jurisdictional, Bowles v. Russell, 551 U.S. 205, 214 (2007), we remand the case for the limited purpose of allowing the district court to determine whether to reopen the time to file an appeal, pursuant to Fed. R. App. P. 4(a)(6).

REMANDED