

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-6840

MALAKIM BEN ISRAEL,

Plaintiff - Appellant,

v.

JOSEPH R. HOLLINGSWORTH,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, Chief District Judge. (5:15-ct-03200-D)

Submitted: November 17, 2016

Decided: November 29, 2016

Before TRAXLER, SHEDD, and AGEE, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Malakim Ben Israel, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Malakim Ben Israel seeks to appeal the district court's order dismissing this 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 March 29, 2016. The notice of appeal is deemed filed on May 30, 2016, when Ben Israel hand-dated it. Because Ben Israel failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. The motion for appointment of counsel is denied. 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