

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-6983

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CHAPELLE ALPHONSO BOULDIN,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at
Newport News. Mark S. Davis, District Judge. (4:13-cr-00105-MSD-LRL-1;
4:15-cv-00021-MDS)

Submitted: January 30, 2018

Decided: February 1, 2018

Before MOTZ and KEENAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Chapelle Alphonso Bouldin, Appellant Pro Se. Eric Matthew Hurt, Assistant United
States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Newport News,
Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Chapelle Alphonso Bouldin appeals the district court's July 11, 2017, order dismissing his Fed. R. Civ. P. 60(b) motion as an unauthorized, second or successive 28 U.S.C. § 2255 (2012) motion. On appeal, we confine our review to the issues raised in the Appellant's brief. *See* 4th Cir. R. 34(b). Because Bouldin's informal brief does not challenge the district court's conclusion that his motion was an unauthorized, successive § 2255 motion, Bouldin has forfeited appellate review of the court's order. *See Williams v. Giant Food Inc.*, 370 F.3d 423, 430 n.4 (4th Cir. 2004). Accordingly, we affirm the district court's order.* 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.

AFFIRMED

* To the extent that Bouldin's notice of appeal might support review of the district court's underlying opinion and order denying his § 2255 motion, his appeal from the opinion and order is untimely. The district court entered its opinion and order denying Bouldin's § 2255 motion on October 20, 2016. Because the district court's opinion and order was unaccompanied by a separate document, judgment is considered entered on March 20, 2017. *See* Fed. R. App. P. 4(a)(7)(A)(ii), 26(a)(1)(C). Bouldin then had 60 days, or until May 19, 2017, to file his notice of appeal from the opinion and order. *See* Fed. R. App. P. 4(a)(1)(B). Bouldin did not file his notice of appeal from the district court's order dismissing his most recent Rule 60(b) motion until July 25, 2017. *See* Fed. R. App. P. 4(c)(1); *Houston v. Lack*, 487 U.S. 266 (1988). Furthermore, we note that Bouldin's Rule 60(b) motions did not toll the appeal period because they were filed more than 28 days after the entry of judgment. *See* Fed. R. App. P. 4(a)(4)(A)(vi). Consequently, we lack jurisdiction to consider the district court's opinion and order denying Bouldin's § 2255 motion. *See Bowles v. Russell*, 551 U.S. 205, 214 (2007).