

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-6000

ANTHONY Q. KELLY,

Plaintiff - Appellant,

v.

Mr. STEPHEN T. MOYER, Secretary of Maryland Department of Public Safety and Correctional Services; STATE OF MARYLAND; FRANK B. BISHOP, JR., Warden; RICHARD S. RODERICK, Case Management Manager,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Richard D. Bennett, District Judge. (1:16-cv-04143-RDB)

Submitted: June 22, 2018

Decided: July 20, 2018

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

Remanded by unpublished per curiam opinion.

Anthony Quentin Kelly, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Q. Kelly appeals from the district court's orders granting summary judgment to Defendants in Kelly's 42 U.S.C. § 1983 (2012) action and denying Kelly's Fed. R. Civ. P. 59(e) motion. Parties to a civil action 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). "[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 entered its final judgment on the docket on November 9, 2017. Kelly filed his notice of appeal, at the earliest, on December 19, 2017, after the 30-day appeal period expired.

However, Kelly's notice of appeal referenced an earlier-filed notice that is not reflected on the docket sheet. Accordingly, we remand the case for the limited purpose of allowing the district court to determine whether Kelly timely filed a notice of appeal. The record, as supplemented, will then be returned to this court for further consideration.

REMANDED