

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**No. 18-6396**

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GREGORY DONZELL BAILEY,

Petitioner - Appellant,

v.

RICKY FOXWELL; BRIAN E. FROSH, The Attorney General of the State of  
Maryland,

Respondents - Appellees.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt.  
George Jarrod Hazel, District Judge. (8:17-cv-02475-GJH)

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Submitted: August 9, 2018

Decided: August 17, 2018

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Before TRAXLER, WYNN, and HARRIS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Gregory Donzell Bailey, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gregory Donzell Bailey seeks to appeal the district court's order dismissing his 28 U.S.C. § 2254 (2012) petition as untimely. We dismiss Bailey's appeal from the district court's order dismissing his petition for lack of jurisdiction, and we deny a certificate of appealability and dismiss Bailey's appeal from the court's March 20, 2018, letter order.

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 denying the § 2254 petition was entered on the docket on January 30, 2018. The notice of appeal was filed on April 2, 2018.\* Because Bailey failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss Bailey's appeal from that order. Insofar as Bailey appeals the district court's March 20, 2018, letter order, we deny a certificate of appealability and dismiss the appeal. We also deny leave to proceed in forma pauperis. 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*

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\* For the purpose of this appeal, we assume that the date appearing on the notice of appeal is the earliest date it could have been properly delivered to prison officials for mailing to the court. Fed. R. App. P. 4(c); *Houston v. Lack*, 487 U.S. 266 (1988).