

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-6019

DONALD VAUGHN,

Plaintiff - Appellant,

v.

WARDEN DENISE A. GELSINGER; C.O. II BRANDAN RENNER; C.O. II ANTHONY HUTZLER; C.O. II R. STRAWDERMAN; ROXBURY CORRECTIONAL INSTITUTE; WAYNE HILL; C.O. II TRAVIS A. WILLIAMS,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore.
Catherine C. Blake, District Judge. (1:19-cv-00183-CCB)

Submitted: May 21, 2020

Decided: May 27, 2020

Before AGEE and QUATTLEBAUM, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Donald Vaughn, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Donald Vaughn seeks to appeal the district court's order granting Defendants summary judgment in his 42 U.S.C. § 1983 (2018) action. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

In civil cases, parties have 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 entered its order on November 26, 2019. Vaughn filed the notice of appeal on December 31, 2019. *See Houston v. Lack*, 487 U.S. 266, 276 (1988) (holding that a prisoner's appeal is filed at the time the prisoner delivers the notice of appeal “to the prison authorities for forwarding to the court clerk”). Because Vaughn failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal.

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