

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-6844

JOSEPH LEE PERRY,

Plaintiff - Appellant,

v.

FRANK L. PERRY; W. DAVID GUICE; GEORGE SOLOMON; KENNETH
LASSITER; CARLTON JOYNER; PAUL G. BUTLER, JR.; WILLIS J. FOWLER;
JAMES L. FORTE; DANNY G. MOODY,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Raleigh. Louise W. Flanagan, District Judge. (5:16-ct-03290-FL)

Submitted: November 19, 2020

Decided: November 23, 2020

Before WILKINSON, KING, and QUATTLEBAUM, Circuit Judges.

Dismissed in part and affirmed in part by unpublished per curiam opinion.

Joseph Lee Perry, Appellant Pro Se. Alex Ryan Williams, NORTH CAROLINA
DEPARTMENT OF JUSTICE, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Lee Perry seeks to appeal the district court's orders denying relief on his 42 U.S.C. § 1983 complaint and denying his motions for leave to file an amended complaint and to alter or amend the judgment. We dismiss in part and affirm in part.

Perry's notice of appeal was due no more than 30 days after the entry of the district court's final judgment or order, 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 granting summary judgment to the Defendants was entered on the docket on March 29, 2019. Perry's notice of appeal was filed, at the earliest, on April 28, 2020. Thus, Perry's appeal from the March 29, 2019, order is untimely, and we dismiss his appeal from this order for lack of jurisdiction.

Perry also appeals the district court's orders: (1) denying his motion for leave to file an amended complaint, and (2) denying his motion to alter or amend the judgment, Fed. R. Civ. P. 59. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Perry v. Perry*, No. 5:16-ct-03290-FL (E.D.N.C. Mar. 27, 2020; June 8, 2020). We deny Perry's motion for appointment of counsel and 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 IN PART,
AFFIRMED IN PART*