UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-6043

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAHEEM AQUNA GREEN,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. Terrence W. Boyle, District Judge. (7:18-cr-00022-BO-2; 7:19-cv-00227-BO)

Submitted: November 23, 2021 Decided: November 29, 2021

Before NIEMEYER, FLOYD, and RUSHING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Raheem Aquna Green, Appellant Pro Se. Jennifer P. May-Parker, Assistant United States Attorney, Joshua L. Rogers, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

PER CURIAM:

Raheem Aquna Green, a federal prisoner, seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2255 motion. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

When the United States or its officer or agency is a party in a civil case, the notice of appeal must be filed no more than 60 days after the entry of the district court's final judgment or order, Fed. R. App. P. 4(a)(1)(B), 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 6, 2020. Green filed the notice of appeal on January 6, 2021. Because Green failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we deny his motion for appointment of counsel and 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