

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6753

DOUGLAS LARCOMB,

Petitioner - Appellant,

v.

J. CHARLES SMITH, III; FREDERICK COUNTY, MARYLAND; STATE OF
MARYLAND; UNITED STATES OF AMERICA,

Respondents - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore.
George L. Russell, III, District Judge. (1:21-cv-02392-GLR)

Submitted: December 20, 2022

Decided: December 27, 2022

Before NIEMEYER and QUATTLEBAUM, Circuit Judges, and FLOYD, Senior Circuit
Judge.

Dismissed by unpublished per curiam opinion.

Douglas Larcomb, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Douglas Larcomb has filed two separate notices of appeal in his 28 U.S.C. § 2241 proceeding in the district court. We dismiss the appeal for lack of jurisdiction.

Larcomb's first notice of appeal, filed in June 2022, cites the court's dismissal of his § 2241 petition with prejudice. We may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). Review of the district court docket confirms that, at the time Larcomb filed his notice of appeal, his § 2241 petition was still pending in the district court, and Larcomb does not otherwise identify an appealable interlocutory or collateral order from which he wishes to appeal. Accordingly, we dismiss Larcomb's appeal of the dismissal of his § 2241 petition for lack of jurisdiction.

Larcomb's second notice of appeal, dated June 14, 2022, cites the court's denial of his motion for injunctive relief. 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 denying Larcomb's motion for emergency injunctive relief on September 27, 2021. Larcomb filed his notice of appeal of this order, at the earliest, on June 14, 2022. Because Larcomb failed to file a timely notice of appeal of the

court's September 27 order or 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

* Since the filing of these appeals, the district court has dismissed Larcomb's § 2241 petition without prejudice and denied several subsequently filed motions for injunctive relief. To the extent that Larcomb would now seek to appeal these orders, he must file a new notice of appeal. *See* Fed. R. App. P. 4(a)(1)(A).