

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-7337

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAYMOND EDWARD GILL,

Defendant - Appellant.

No. 22-7455

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAYMOND EDWARD GILL,

Defendant - Appellant.

Appeals from the United States District Court for the District of Maryland, at Baltimore.
Richard D. Bennett, Senior District Judge. (1:13-cr-00577-RDB-1)

Submitted: April 20, 2023

Decided: April 25, 2023

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

Dismissed in part and affirmed in part by unpublished per curiam opinion.

Raymond Edward Gill, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated cases, Raymond Edward Gill filed multiple notices of appeal in the underlying criminal action. In Appeal No. 22-7337, Gill filed three notices of appeal summarily indicating an intent to appeal three motions filed in Gill’s criminal case. In Appeal No. 22-7455, Gill summarily indicates that he is appealing (a) the underlying criminal case; and (b) a civil case in which the district court, by order entered June 12, 2020, denied several motions, including a 28 U.S.C. § 2255 motion and Gill’s motion for compassionate release (hereinafter the “June 12 Order”).* We dismiss in part and affirm in part.

As to Appeal No. 22-7337, to the extent Gill seeks to appeal the several motions he filed in the underlying criminal action, the district court docket confirms that the court had not adjudicated these motions when Gill filed his notices of appeal. Gill’s appeal is therefore premature and, accordingly, interlocutory. *See* 28 U.S.C. §§ 1291-1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949).

As to Appeal No. 22-7455, to the extent Gill seeks review of the June 12 Order, Gill already appealed that order and, thus, in addition to being more than two years untimely, *see* Fed. R. App. P. 4(a)(1)(B) (affording 60 days to appeal when the United States is a party); *Bowles v. Russell*, 551 U.S. 205, 214 (2007) (“[T]he timely filing of a notice of

* Gill previously appealed the June 12 Order, challenging only the denial of § 2255 relief, *see United States v. Gill*, No. 20-6946 (ECF Nos. 4, 7, 9, 13-14), and this court denied a certificate of appealability and dismissed Gill’s appeal, *United States v. Gill*, 829 F. App’x 648 (4th Cir. 2020) (No. 20-6946).

appeal in a civil case is a jurisdictional requirement.”), Gill’s appeal is also duplicative. We therefore dismiss the appeals, in part.

Finally, to the extent Gill’s informal brief challenges that portion of the district court’s December 7, 2022, order again denying compassionate release, we discern no abuse of discretion by the district court. *See United States v. Kibble*, 992 F.3d 326, 329 (4th Cir. 2021) (per curiam) (stating standard of review). Therefore, we also affirm in part. *United States v. Gill*, No. 1:13-cr-00577-RDB-1 (D. Md. Dec. 7, 2022).

Based on the foregoing, we dismiss these appeals in part and affirm in part. 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*