

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-6836**

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CHARLES GARY SINGLETARY, III,

Plaintiff - Appellant,

v.

WARDEN JACKSON, Warden,

Defendant - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Beaufort.  
Henry M. Herlong, Jr., Senior District Judge. (9:22-cv-04362-HMH)

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Submitted: October 31, 2023

Decided: November 3, 2023

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Before HARRIS and QUATTLEBAUM, Circuit Judges, and KEENAN, Senior Circuit  
Judge.

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Dismissed by unpublished per curiam opinion.

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Charles Gary Singletary, III, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charles Gary Singletary, III, seeks to appeal the district court’s order adopting the recommendation of the magistrate judge and dismissing his 42 U.S.C. § 1983 civil 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 March 28, 2023. Singletary filed the notice of appeal on August 18, 2023.\* Because Singletary 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*

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\* For the purpose of this appeal, we assume that the date appearing on the notice of appeal is the earliest date Singletary could have delivered the notice to prison officials for mailing to the court. Fed. R. App. P. 4(c)(1); *Houston v. Lack*, 487 U.S. 266, 276 (1988).