

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7302

PAUL W. JONES,

Plaintiff - Appellant,

versus

MELANIE LASSITER, R.N.; GADDY LASSITER,
Doctor; S. KNIGHT, Medical Administrator;
WILLIE SCOTT, Warden; WACKENHUT CORRECTIONAL
CORPORATION,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. James C. Fox, Senior
District Judge. (CA-02-897-5-F)

Submitted: March 19, 2004

Decided: July 28, 2004

Before WIDENER, WILLIAMS, and KING, Circuit Judges.

Affirmed in part; dismissed in part by unpublished per curiam
opinion.

Paul W. Jones, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Paul W. Jones appeals the district court's order denying his motions for change of venue and for reconsideration of its previous order dismissing Jones's 42 U.S.C. § 1983 (2000) complaint for failure to state a claim. We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order denying the requested change of venue and reconsideration. See Jones v. Lassiter, No. CA-02-897-5-F (E.D.N.C. filed Aug. 6, 2003 & entered Aug. 11, 2003). To the extent that Jones seeks to appeal the court's order dismissing his § 1983 action, his notice of appeal is untimely. The court's order dismissing Jones's § 1983 action was entered on its docket on June 26, 2003. Jones's notice of appeal was filed, at the earliest, on August 18, 2003, which was beyond the thirty-day appeal period. See Fed. R. App. P. 4(a)(1)(A). Therefore, to the extent that Jones seeks to appeal the district court's order dismissing his § 1983 action, we dismiss his appeal as untimely. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED IN PART;
DISMISSED IN PART