

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-1646

KEVIN C. NAUNDORF,

Plaintiff - Appellant,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security
Administration,

Defendant - Appellee,

and

SSA NOTIFY,

Party-in-Interest.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. Susan K. Gauvey, Magistrate Judge.
(1:10-cv-00650-SKG)

Submitted: January 31, 2012 Decided: February 14, 2012

Before NIEMEYER, KING, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Kevin C. Naundorf, Appellant Pro Se. Alex Gordon, Allen F.
Loucks, Assistant United States Attorneys, Baltimore, Maryland,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kevin C. Naundorf seeks to appeal the magistrate judge's order upholding the Commissioner of Social Security's denial of disability insurance benefits and supplemental security income.* 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, the notice of appeal must be filed no more than sixty 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 magistrate judge's order was entered on the docket on March 29, 2011. Accordingly, the latest day for filing a timely notice of appeal was Tuesday, May 31, 2011. Naundorf's notice of appeal, however, was not received for filing until Wednesday, June 1, 2011. See Fed. R. App. P. 4(d). Because Naundorf failed to file a timely notice of appeal or to obtain

* Pursuant to 28 U.S.C. § 636(c) (2006), the parties consented to proceeding before a magistrate judge.

an extension or reopening of the appeal period, we are constrained to dismiss the 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.

DISMISSED