

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6839

ERIC ANDREW RIEB,

Petitioner - Appellant,

v.

ROBERT M. STEVENSON, III,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Aiken. Richard M. Gergel, District Judge. (1:09-cv-02642-RMG)

Submitted: November 3, 2011

Decided: November 16, 2011

Before NIEMEYER, KING, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Eric Andrew Rieb, Appellant Pro Se. William Edgar Salter, III, Assistant Attorney General, Donald John Zelenka, Deputy Assistant Attorney General, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Eric Andrew Rieb seeks to appeal the district court's orders granting Respondent summary judgment with respect to his 28 U.S.C. § 2254 (2006) petition, denying reconsideration, and denying a preliminary injunction. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded thirty 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's orders were entered on the docket on September 29, 2010; April 25, 2011; and May 4, 2011, respectively. The notice of appeal was filed on June 14, 2011. Because Rieb failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We also deny Rieb's motion to proceed in forma pauperis. 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