

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-7328

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DEAN BLACKWOOD,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Richard D. Bennett, District Judge. (1:09-cr-00135-RDB-1; 1:10-cv-01306-RDB; 1:10-cv-01645-RDB; 1:10-cv-3609-RDB)

Submitted: February 16, 2012

Decided: March 5, 2012

Before MOTZ, SHEDD, and AGEE, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Dean Blackwood, Appellant Pro Se. Mushtaq Zakir Gunja, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dean Blackwood seeks to appeal the district court's orders denying his motions for post-conviction relief under 28 U.S.C.A. § 2255 (West Supp. 2011). 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 district court's orders were entered on the docket on December 9, 2010, and January 7, 2011. The notice of appeal was filed on September 29, 2011.* Because Blackwood 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

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

deny Blackwood's pending motions seeking the release of documents from the district court. 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