

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-7592**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARC PIERRE HALL, a/k/a Marc Valeriano, a/k/a Fella,

Defendant - Appellant.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Charlotte. Robert E. Payne,  
Senior District Judge. (3:95-cr-00005-FDW-1)

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Submitted: March 9, 2012

Decided: March 16, 2012

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Before WILKINSON, SHEDD, and DAVIS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Marc Pierre Hall, Appellant Pro Se. Amy Elizabeth Ray, Assistant  
United States Attorney, Asheville, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marc Pierre Hall seeks to appeal his conviction and life sentence imposed after he was found guilty of conspiracy to possess with intent to distribute cocaine and cocaine base within 1000 feet of a school or playground, in violation of 21 U.S.C. § 846 (2006) (count one), use and carry of a firearm during and in relation to a drug trafficking crime in violation of 18 U.S.C. § 924(c)(1) & (2) (2006) (counts ten and eleven), and use and carry of a destructive device and damage and destruction of real property in and affecting commerce in violation of 18 U.S.C. § 844(i) (2006) (count twelve). In criminal cases, a defendant must file his notice of appeal within fourteen days after the entry of judgment.<sup>1</sup> Fed. R. App. P. 4(b)(1)(A)(i). With or without a motion, upon a showing of excusable neglect or good cause, the district court may grant an extension of up to thirty days to file a notice of appeal. Fed. R. App. P. 4(b)(4); United States v. Reyes, 759 F.2d 351, 353 (4th Cir. 1985).

The district court entered the criminal judgment on the docket on May 14, 1996. Hall filed a pro se notice of

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<sup>1</sup> At the time judgment was entered, the appeal period was ten days. Fed. R. App. P. 4(b)(1)(A)(i) (2007). On December 1, 2009, the period was extended to fourteen days. Fed. R. App. P. 4(b)(1)(A)(i) (2009). Hall's notice of appeal was untimely under either period.

appeal on November 28, 2011, over fifteen years after the appeal period expired.<sup>2</sup> Because Hall failed to file a timely notice of appeal or obtain an extension 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 the court and argument would not aid the decisional process.

DISMISSED

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<sup>2</sup> This is the date that appears on the envelope Hall gave to prison officials for mailing the notice of appeal to the district court. Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266, 276 (1988). We also note that Hall received a counseled direct appeal of the criminal judgment, and the district court's judgment was affirmed on February 18, 1998.