

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-6920**

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BENJAMIN F. COLEMAN,

Petitioner - Appellant,

v.

LEROY CARTLEDGE,

Respondent - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Orangeburg. Timothy M. Cain, District Judge. (5:11-cv-01595-TMC)

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Submitted: October 11, 2012

Decided: October 15, 2012

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Before KING, DUNCAN, and DIAZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Benjamin F. Coleman, Appellant Pro Se. Donald John Zelenka, Deputy Assistant Attorney General, James Anthony Mabry, Assistant Attorney General, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Benjamin F. Coleman seeks to appeal the district court's orders denying relief on his 28 U.S.C. § 2254 (2006) petition, and denying his subsequent motion for reconsideration. 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 initial order was entered on the docket on January 18, 2012, and the order denying Coleman's motion for reconsideration was entered on February 10, 2012. The notice of appeal was filed on May 21, 2012. Because Coleman failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We deny as moot Coleman's motion for a certificate of appealability, and we also deny his 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