

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7335

RODNEY MCDONALD WILLIAMS, JR.,

Plaintiff - Appellant,

v.

THE STATE OF NORTH CAROLINA,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. William A. Webb,
Magistrate Judge. (5:10-mc-00039)

Submitted: October 23, 2012

Decided: November 13, 2012

Before AGEE, KEENAN, and FLOYD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Rodney McDonald William, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rodney McDonald Williams, Jr., seeks to appeal the magistrate judge's order returning Williams' declaration because it did not have a case number or name. 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 magistrate judge's order was entered on the docket on November 29, 2011. The notice of appeal was considered filed on July 24, 2012. Because Williams failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we deny leave to proceed in forma pauperis and 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