

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-4261**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CLEVON DOUGLAS MURRAY,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Beckley. Irene C. Berger, District Judge. (5:11-cr-00213-1)

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Submitted: October 24, 2014

Decided: November 5, 2014

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Before WYNN, DIAZ, and FLOYD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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David Schles, LAW OFFICE OF DAVID SCHLES, Charleston, West Virginia, for Appellant. John Lanier File, Assistant United States Attorney, Beckley, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clevon Douglas Murray seeks to appeal his conviction and seventy-month sentence imposed pursuant to a guilty plea to possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 922(g)(1) (2012), and his consecutive twenty-four-month sentence imposed by the district court in its judgment revoking his supervised release on a prior felony conviction. Counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious issues for appeal, but questioning whether (1) Murray received ineffective assistance of counsel, (2) he was competent to plead guilty, and (3) the district court's sentence is procedurally and substantively reasonable. Because this appeal is untimely, we dismiss.

In a criminal case, a defendant must file his notice of appeal within fourteen days after the entry of judgment. 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 judgments on the docket on June 28, 2012. Murray filed a pro se notice of appeal on

March 25, 2014,\* nearly twenty-one months after the appeal period expired. Because Murray failed to file a timely notice of appeal or obtain an extension of the appeal period, and because the delay in noting the appeal was inordinate, we dismiss the appeal.

This court requires that counsel inform Murray, in writing, of the right to petition the Supreme Court of the United States for further review. If Murray requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on Murray. We dispense with oral argument because the facts and legal contentions are adequately presented in the material before this court and argument will not aid the decisional process.

DISMISSED

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\* This is the date that appears on the notice of appeal Murray gave to prison officials for mailing to the district court. Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266, 276 (1988).