UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7878

JOHN L. MILLS, a/k/a John Lewis Mills,

Petitioner - Appellant,

v.

WARDEN LIEBER CORRECTIONAL INSTITUTION,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Beaufort. Timothy M. Cain, District Judge. (9:15-cv-00654-TMC)

Submitted: February 25, 2016 Decided: March 2, 2016

Before SHEDD and HARRIS, Circuit Judges, and DAVIS, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

John L. Mills, Appellant Pro Se. Donald John Zelenka, Senior Assistant Attorney General, Melody Jane Brown, Assistant Attorney General, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John L. Mills seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (2012) petition and the order denying his second motion for an extension of time to file objections to the magistrate judge's report and recommendation. We dismiss the appeal.

Parties are accorded 30 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 order denying relief on Mills' § 2254 petition was entered on the docket on October 7, 2015. The notice of appeal was filed on November 9, 2015.* Because Mills failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal of the order denying § 2254 relief for lack of jurisdiction.

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* 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).

Turning to Mills' appeal of the district court's order denying his motion for an extension of time, we confine our review to the issues raised in the Appellant's brief. See 4th Cir. R. 34(b). Because Mills' informal brief does not challenge the basis for the district court's disposition of the second motion for an extension of time, Mills has forfeited appellate review of that order. Accordingly, we deny a certificate of appealability and dismiss that portion of the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED