

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-7023

JASON THOMAS ROBERTS,

Plaintiff - Appellant,

v.

NAPH CARE MEDICAL DEPARTMENT, Jail Medical Services;
VIRGINIA BEACH JAIL,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Henry E. Hudson, District Judge. (3:16-cv-00213-HEH-RCY)

Submitted: November 22, 2016

Decided: November 28, 2016

Before DIAZ and THACKER, Circuit Judges, and DAVIS, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Jason Thomas Roberts, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jason Thomas Roberts seeks to appeal the district court's order dismissing his 42 U.S.C. § 1983 (2012) action for failure to comply with the court's earlier order to return a collection of fees form. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

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 was entered on the docket June 8, 2016. The notice of appeal was filed on July 28, 2016.* Because Roberts 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 Roberts' motions for appointment of counsel and dispense with oral argument because the facts and legal contentions are adequately presented in the materials

* 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. See Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266, 276 (1988).

before this court and argument would not aid the decisional process.

DISMISSED