

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-6832

NATHANIEL M. COSTLEY,

Plaintiff - Appellant,

versus

ROBERT SWARTZ, Baliff; GORDON TITTSWORTH,
Bailiff; JOHN GROVES, Bailiff; HARRY BAVARD,
Bailiff; EARL ISSENNOCK; ISSENNOCK, Deputy;
DEPUTY CARR; TINA RAY, DFC; DEPUTY BUMM;
DEPUTY HOFFA,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Deborah K. Chasanow, District Judge. (CA-
98-1518-DKC)

Submitted: September 8, 2000

Decided: October 6, 2000

Before LUTTIG and KING, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Nathaniel M. Costley, Appellant Pro Se. John Joseph Curran, Jr.,
Attorney General, Julia Melville Andrew, OFFICE OF THE ATTORNEY
GENERAL OF MARYLAND, Baltimore, Maryland; Daniel Karp, Kevin Bock
Karpinski, ALLEN, JOHNSON, ALEXANDER & KARP, Baltimore, Maryland,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Nathaniel M. Costley appeals the district court's orders denying relief on his 42 U.S.C.A. § 1983 (West Supp. 2000) complaint and denying his motion for an extension of time to file his notice of appeal. We dismiss the appeal for lack of jurisdiction because Appellant's notice of appeal was not timely filed.

Parties are accorded thirty days after entry of the district court's final judgment or order to note an appeal, see Fed. R. App. P. 4(a)(1), 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). This appeal period is "mandatory and jurisdictional." Browder v. Director, Dep't of Corrections, 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)).

The district court's order denying relief on Costley's § 1983 complaint was entered on the docket in February 1999, and its order denying Costley's motion for an extension of time was entered in May 1999. Costley's notice of appeal was filed on June 8, 2000. Because Costley failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. Costley's motion for appointment of counsel is denied. We dispense with oral argument because the facts and legal conten-

tions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED