

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-6315

ANTHONY TOMMY WILSON,

Petitioner - Appellant,

v.

ROBERT M. STEVENSON, III, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Beaufort.
Margaret B. Seymour, Senior District Judge. (9:15-cv-02130-MBS)

Submitted: September 23, 2020

Decided: October 16, 2020

Before WILKINSON, NIEMEYER, and RICHARDSON, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Anthony Tommy Wilson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Tommy Wilson seeks to appeal the district court's order accepting the recommendation of the magistrate judge, granting summary judgment in Respondent's favor, and dismissing Wilson's 28 U.S.C. § 2254 petition. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

In civil cases, parties have 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 entered its order on July 18, 2016. Wilson filed the notice of appeal on February 21, 2020.* Because Wilson failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss 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

* For the purpose of this appeal, we assume that the date appearing on the notice of appeal is the earliest date Wilson could have delivered the notice to prison officials for mailing to the court. Fed. R. App. P. 4(c)(1); *Houston v. Lack*, 487 U.S. 266, 276 (1988).