

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 22-6716**

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DERRICK GREEN, a/k/a Duryea Green,

Petitioner - Appellant,

v.

WARDEN GREGORY WERNER,

Respondent - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt.  
Paula Xinis, District Judge. (8:20-cv-00777-PX)

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Submitted: November 22, 2022

Decided: November 29, 2022

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Before HARRIS and RICHARDSON, Circuit Judges, and TRAXLER, Senior Circuit  
Judge.

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Dismissed by unpublished per curiam opinion.

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Derrick Green, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Derrick Green seeks to appeal the district court's order dismissing his 28 U.S.C. § 2254 petition as time-barred. 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 October 21, 2022. Green filed the notice of appeal on June 13, 2022.\* Because Green 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*

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\* The District of Columbia Court of Appeals received Green's notice of appeal on this date. Green did not date his notice of appeal and no postmark is apparent on the envelope. *See Houston v. Lack*, 487 U.S. 266, 276 (1988); Fed. R. App. P. 4(c)(1) (describing rules for demonstrating timely filing); Fed. R. App. P. 4(d) (providing that notice of appeal mistakenly filed in court of appeals is deemed filed on date received by court of appeals).