UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1665

KRISTINA MORGAN, on behalf of Zachary Wayne Vannoy, Deceased,

Plaintiff - Appellant,

v.

FRANK BISIGNANO, Commissioner, Social Security,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Charles David Austin, Magistrate Judge. (1:24-cv-00477-CDA)

Submitted: August 27, 2026 Decided: August 31, 2026

Before KING, HEYTENS, and BENJAMIN, Circuit Judges.

Remanded by unpublished per curiam opinion.

Kristina Morgan, Appellant Pro Se. Christopher John Brackett, Special Assistant United States Attorney, SOCIAL SECURITY ADMINISTRATION, Baltimore, Maryland; Beatrice Campbell Thomas, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kristina Morgan, proceeding pro se on behalf of her late son's estate, appeals the magistrate judge's order[*] affirming the Commissioner of Social Security Administration's decision denying her son's claim for supplemental security income and disability insurance benefits. When the United States or its officer or agency is a party in a civil case, the notice of appeal must be filed no more than 60 days after the entry of the district court's final judgment or order, Fed. R. App. P. 4(a)(1)(B), 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 judgment on March 28, 2025; Morgan therefore had until May 27, 2025, to note an appeal. Morgan filed her notice of appeal on June 9, 2025, outside the 60-day appeal period. Because Morgan's June 9 filing presented an excuse for the untimeliness of her appeal and was filed during the 30-day excusable neglect period, we construe the filing as a timely request for an extension of the appeal under Rule 4(a)(5).

Accordingly, we remand this case to the district court for the limited purpose of allowing the court to determine whether Morgan has shown good cause or excusable

[*] The parties consented to the jurisdiction of the magistrate judge pursuant to 28 U.S.C. § 636(c).

neglect warranting an extension of the appeal period. The record, as supplemented, will then be returned to this court for further consideration.

REMANDED