

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6168

NATHAN DAVIS,

Petitioner - Appellant,

v.

JOSEPH WALTERS, Dir. of Virginia Department of Correction,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at
Alexandria. Patricia Tolliver Giles, District Judge. (1:23-cv-01754-PTG-JFA)

Submitted: April 2, 2026

Decided: May 1, 2026

Before HARRIS, QUATTLEBAUM, and BENJAMIN, Circuit Judges.

Remanded by unpublished per curiam opinion.

Nathan Davis, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Nathan Davis seeks to appeal the district court's order dismissing his 28 U.S.C. § 2254 petition. 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).

Several months after the district court entered its judgment, Davis sent the court a letter indicating that he never received notice of the court's decision. We construe the letter as a Rule 4(a)(6) motion to reopen the appeal period, *see United States v. Withers*, 638 F.3d 1055, 1061 (9th Cir. 2011), and we remand to the district court for the limited purpose of determining whether reopening the appeal period is warranted. The record, as supplemented, will then be returned to this court for further consideration.

REMANDED