

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-2546

CHUKWUMA E. AZUBUKO,

Plaintiff - Appellant,

v.

RYA W. ZOBEL, Judge, Individual and Official Capacities; LEO T. SOROKIN, Magistrate Judge, in Official Capacity; TWO UNKNOWN UNITED STATES' MARSHALS, in Official Capacity; JOEL STEMBRIDGE, in Individual and Official Capacities; JOEL E. PISANO, Judge, in Individual and Official Capacities; MARCIA M. WALDRON, Third Circuit Clerk, in I/O Capacities,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Liam O'Grady, District Judge. (1:12-cv-00871-LO-TCB)

Submitted: March 28, 2013

Decided: April 1, 2013

Before NIEMEYER, KING, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Chukwuma E. Azubuko, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Chukwuma E. Azubuko seeks to appeal the district court's order denying his motion for relief from the judgment dismissing his complaint for lack of jurisdiction. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

When the United States or its officer or agency is a party, the notice of appeal must be filed no more than sixty 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's order was entered on the docket on August 23, 2012. The notice of appeal was filed on December 10, 2012. Because Azubuko 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