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UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT
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August 17, 2007

TO: P. Mark Shafer

Enclosed is a copy of the Court's opinion
directing limited remand in Case Number(s): 07-6532

PATRICIA S. CONNOR
CLERK

Enclosure(s)

cc: Clerk, U. S. District Court

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6532

P. MARK SHAFER,

Plaintiff - Appellant,

versus

PAULA PRICE; CINDY DIAMOND; DSS/APS;
WASHINGTON COUNTY HEALTH SYSTEMS; JAMES P.
HAMILL, President, Washington County Hospital;
ATTENDING PHYSICIAN; WASHINGTON COUNTY
COMMISSIONERS; SISKIND, GRADY, ROSEN, HOOVER,
Law Firm,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Peter J. Messitte, District Judge. (8:07-
cv-00183-PJM)

Submitted: August 6, 2007

Decided: August 17, 2007

Before MICHAEL and TRAXLER, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Remanded by unpublished per curiam opinion.

P. Mark Shafer, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

P. Mark Shafer seeks to appeal the district court's order dismissing Shafer's 42 U.S.C. § 1983 (2000) complaint under Heck v. Humphrey, 512 U.S. 477, 487 (1994). The notice of appeal was received in the district court shortly after expiration of the appeal period. Because Shafer is incarcerated, the notice is considered filed as of the date it was properly delivered to prison officials for mailing to the court. Fed. R. App. P. 4(c)(1); Houston v. Lack, 487 U.S. 266 (1988). The record does not reveal when Shafer gave the notice of appeal to prison officials for mailing. Accordingly, we remand the case for the limited purpose of allowing the district court to obtain this information from the parties and to determine whether the filing was timely under Fed. R. App. P. 4(c)(1) and Houston v. Lack. The record, as supplemented, will then be returned to this court for further consideration.

REMANDED