

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6723

THURMAN VAN LILLY,

Plaintiff - Appellant,

v.

FRED THOMPSON, Associate Warden; MORRIS ELMORE, Lieutenant
EHSO; JAMES BLACKWELL, DHO; MCKITHER BODISON, Associate
Warden; D. NUNNALLY, Captain SMU; EUGENE SKIPPER,
Contraband; S. JENKINS; L. RANDALL, Grievances; D.
MCCOMMONS, Contraband; DORIS GANTT, Property Control,

Defendants - Appellees.

No. 09-6775

THURMAN VAN LILLY,

Plaintiff - Appellant,

v.

JON OZMINT; STAN BURTT; ADRIAN MARTELL; R. REEVES; ROBERT
WARD; FRED B. THOMPSON; THIERRY D. NETTLES; TIM B. ROOF;
GILBERT EMRHEIN; MR. WILLIAMS; MR. POWELL; YVETTE BLOWE,

Defendants - Appellees,

and

JOHN WARD; C. REEVES

Defendants.

Appeals from the United States District Court for the District of South Carolina, at Charleston. Joseph F. Anderson, Jr., Chief District Judge. (2:08-cv-00266-JFA; 2:07-CV-01700-JFA)

Submitted: August 26, 2009

Decided: September 3, 2009

Before TRAXLER, Chief Judge, and GREGORY and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Thurman Van Lilly, Appellant Pro Se. Andrew Lindemann, DAVIDSON & LINDEMANN, P.A., Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Thurman Van Lilly seeks to appeal the district court's orders dismissing his 42 U.S.C. § 1983 (2006) complaints for failure to exhaust administrative remedies. We dismiss the appeals for lack of jurisdiction because the notices of appeal were not timely filed.

The time limits for noting an appeal in a civil case are set forth in Rule 4(a) of the Federal Rules of Appellate Procedure, which effectuates 28 U.S.C. § 2107 (2006). See Bowles v. Russell, 551 U.S. 205, 208 (2007). Parties are accorded thirty 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). A failure to file a notice of appeal in accordance with § 2107 deprives the appellate court of jurisdiction. Bowles, 551 U.S. at 214.

The district court's orders were entered on the docket on March 10, 2009. The notices of appeal were filed on April 14, 2009, the date they were received in the prison mail room. See Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266, 276 (1988). Because Lilly failed to file timely notices of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeals. We dispense with oral argument

because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED