

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-2075**

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ARLEATHA M. SIMMS,

Plaintiff - Appellant,

v.

FEDEX GROUND PACKAGE SYSTEM, INCORPORATED,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, District Judge. (3:11-cv-00745-JRS)

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Submitted: December 20, 2012

Decided: December 26, 2012

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Before KING and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Arleatha M. Simms, Appellant Pro Se. Monica Handa, Amy Sanborn Owen, COCHRAN & OWEN, LLC, Vienna, Virginia; Christina Kepplinger Johansen, FEDEX GROUND, Moon Township, Pennsylvania, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Arleatha M. Simms seeks to appeal the district court's order granting summary judgment to FedEx Ground Package System, Inc., on her claims of employment retaliation. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

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). "[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 July 26, 2012. The notice of appeal was filed on August 28, 2012. Because Simms 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