

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6021

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

AVERY TERRY,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore.
George L. Russell, III, Chief District Judge. (1:14-cr-00355-GLR-1)

Submitted: May 15, 2025

Decided: May 20, 2025

Before NIEMEYER and HEYTENS, Circuit Judges, and KEENAN, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Avery Terry, Appellant Pro Se. David Christian Bornstein, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In 2015, Avery Terry pled guilty, pursuant to a written plea agreement, to interfering with commerce by robbery, in violation of 18 U.S.C. § 1951(a), using and brandishing a firearm during a crime of violence, in violation of 18 U.S.C. § 924(c), and accessory after the fact to robbery, in violation of 18 U.S.C. § 3. The district court sentenced Terry to a total of 181 months' imprisonment. Terry appealed the judgment, and we affirmed. *United States v. Terry*, 788 F. App'x 933 (4th Cir. 2020).

On December 10, 2024, Terry filed another notice of appeal of the district court's final judgment. However, in criminal cases, the defendant must file his notice of appeal within 14 days after the entry of judgment. Fed. R. App. P. 4(b)(1)(A). Because Terry's notice of appeal was filed more than nine years after entry of the judgment, it is untimely. Accordingly, we dismiss the appeal. *See United States v. Oliver*, 878 F.3d 120, 127-129 (4th Cir. 2017) (discussing situations in which this court will sua sponte dismiss untimely criminal 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