

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6929

ANDREW JOSEPH DICKS,

Petitioner - Appellant,

v.

RONALD S. WEBER, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the District of Maryland, at Baltimore.
Lydia Kay Griggsby, District Judge. (1:24-cv-02219-LKG)

Submitted: June 24, 2026

Decided: July 2, 2026

Before WILKINSON, WYNN, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Andrew Joseph Dicks, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

On September 12, 2024, the district court entered an order dismissing Andrew Joseph Dicks's 28 U.S.C. § 2254 petition without prejudice as successive and unauthorized. Accordingly, the 30-day appeal period expired on October 15, 2024. *See* Fed. R. App. P. 4(a)(1)(A) (prescribing 30-day appeal period); Fed. R. Civ. P. 6(a)(1)(C) (relevant counting rule). Due to conflicting evidence in the record, we could not determine whether Dicks timely filed his notice of appeal. We therefore remanded the case to the district court for the limited purpose of determining when Dicks delivered his notice of appeal to prison officials for mailing to the court. *See* Fed. R. App. P. 4(c)(1)(A); *Houston v. Lack*, 487 U.S. 266, 276 (1988) (establishing prison mailbox rule).

The district court found that Dicks did so on November 5, 2024. We accepted the district court's factfinding and dismissed Dicks's untimely appeal for lack of jurisdiction. *See Bowles v. Russell*, 551 U.S. 205, 214 (2007) ("[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement."). Rather than petitioning for rehearing, Dicks moved the district court to reconsider its order finding that he mailed the notice of appeal on November 5, arguing that the district court overlooked certain evidence. The district court denied the motion for reconsideration.

After reviewing the record, we conclude that the district court properly denied Dicks's motion for reconsideration. Accordingly, we affirm the district court's judgment.

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.

AFFIRMED