

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 17-7204

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DEANTE DRAKE, a/k/a Panama, a/k/a Shawn, a/k/a Papa Bear,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia,
at Clarksburg. Irene M. Keeley, Senior District Judge. (1:07-cr-00053-IMK-MJA-1)

Submitted: December 13, 2017

Decided: January 2, 2018

Before KING, SHEDD, and HARRIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Deante Drake, Appellant Pro Se. Randolph John Bernard, OFFICE OF THE UNITED
STATES ATTORNEY, Wheeling, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

On September 5, 2017, Deante Drake filed a notice of appeal from his May 13, 2008, criminal judgment. Because Drake previously appealed from his 2008 judgment, *see United States v. Drake*, 318 F. App'x 247 (4th Cir. 2009) (No. 08-4589), this Court is without jurisdiction to entertain a second appeal from the same judgment. In addition, Drake's notice of appeal is inordinately late. *See* Fed. R. App. P. 4(b)(1) (providing 30 days to file a notice of appeal in a criminal case).

Accordingly, we deny Drake's motion to show cause and supplemental motion to show cause and dismiss the appeal. 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