

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-1160

EDDIE L. SMITH,

Plaintiff - Appellant,

versus

LOUIS CALDERA, Secretary, Department of the
Army,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern Dis-
trict of Virginia, at Alexandria. Claude M. Hilton, Chief District
Judge. (CA-99-1625-A)

Submitted: June 15, 2000

Decided: June 21, 2000

Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior Cir-
cuit Judge.

Affirmed by unpublished per curiam opinion.

Eddie L. Smith, Appellant Pro Se. Richard Parker, Jeri Kaylene
Somers, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Eddie L. Smith appeals the district court's order granting summary judgment to Defendant in Smith's employment discrimination suit. We have reviewed the record and the district court's opinion and find no reversible error. Because Smith did not timely exhaust administrative remedies, we affirm on the reasoning of the district court. See Smith v. Caldera, No. CA-99-1625-A (E.D. Va. Dec. 23, 1999 & Jan 21, 2000).^{*} 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.

AFFIRMED

^{*} Although the district court's orders are marked as "filed" on December 22, 1999, the district court's records show that they were entered on the docket sheet on December 23, 1999 and January 21, 2000, respectively. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the (order, judgment, etc.) was physically entered on the docket sheet that we take as the effective date of the district court's decision. Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).