

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 00-1485

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FRANCIS J. MAMMANO,

Plaintiff - Appellant,

versus

PRINCE GEORGE'S COUNTY, MARYLAND; JOHN S.  
FARRELL, Chief, Prince George's County Police  
Department,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Greenbelt. Peter J. Messitte, District Judge. (CA-  
99-3686-PJM)

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Submitted: November 30, 2000

Decided: January 5, 2001

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Before WIDENER, WILKINS, and NIEMEYER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Michael Marshall, SCHLACHMAN, BELSKY & WEINER, P.A., Baltimore,  
Maryland, for Appellant. Sean D. Wallace, County Attorney, John A.  
Bielec, Deputy County Attorney, William A. Snoddy, Associate County  
Attorney, Upper Marlboro, Maryland, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Francis J. Mammano appeals the district court's order granting Defendants' motion for summary judgment in his 42 U.S.C.A. § 1983 (West Supp. 2000) action. To state a First Amendment retaliation claim under 42 U.S.C.A. § 1983, a plaintiff must establish three elements: (1) that his speech was constitutionally protected; (2) that he was deprived of some valuable benefit as a result of the speech; and (3) that "but for" the speech, the Defendants would not have taken the retaliatory actions they did. DiMeaglio v. Haines, 45 F.3d 790, 804 (4th Cir. 1995). Because Mammano failed to proffer facts sufficient to support a finding that he has been deprived of a valuable employment benefit, we affirm the district court's order. 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