

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

RICHARD M. STUMBO,
Plaintiff-Appellant,

v.

DYNCORP PROCUREMENT SYSTEMS,
INCORPORATED, formerly known as
DynCorp Aerospace Operations,
Incorporated; DYNCORP AEROSPACE
OPERATIONS, INCORPORATED;
DYNCORP AEROSPACE OPERATIONS
(U.K.), LIMITED,
Defendants-Appellees.

No. 01-1196

Appeal from the United States District Court
for the Western District of Virginia, at Harrisonburg.
Jackson L. Kiser, Senior District Judge.
(CA-00-7-5)

Submitted: August 10, 2001

Decided: September 5, 2001

Before WILKINS and KING, Circuit Judges, and
HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

COUNSEL

Thomas Moore Lawson, Ann K. Crenshaw, LAWSON & SILEK,
P.L.C., Winchester, Virginia, for Appellant. Michelle L. Bodley, Ste-

ven W. Ray, Edward Lee Isler, RAY & ISLER, P.C., Vienna, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Richard M. Stumbo appeals the district court's order granting the Defendants' motion for summary judgment on Stumbo's Americans with Disabilities Act (ADA) claim. *See* 42 U.S.C.A. §§ 12101-12213 (West 1995 & Supp. 2000). We affirm.

The only question on appeal is whether Stumbo forecast sufficient evidence that Defendants regarded him as disabled to survive a motion for summary judgment. Applying the Supreme Court's decisions in *Sutton v. United Airlines*, 527 U.S. 471 (1999), and *Murphy v. United Parcel Serv., Inc.*, 527 U.S. 516 (1999), we conclude that he did not. Stumbo has demonstrated only that Defendants considered him unfit for one particular job. *See Sutton*, 527 U.S. at 492 (stating that to make out an ADA claim, a person must be regarded as "precluded from a broad range of jobs"); *Murphy*, 527 U.S. at 523 (holding that "to be regarded as substantially limited in the major life activity of working, one must be regarded as precluded from more than a particular job").

Accordingly, we affirm the grant of summary judgment in the Defendants' favor. We dispense with oral argument because the facts and legal contentions are adequately represented in the materials before the court and argument would not aid the decisional process.

AFFIRMED