

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

NANCY JACOBS,
Plaintiff-Appellant,

v.

HAMLET HMA, INCORPORATED, a/k/a
Health Management Associates,
Incorporated, d/b/a Hamlet Hospital,
Defendant-Appellee.

No. 01-1978

Appeal from the United States District Court
for the Middle District of North Carolina, at Durham.
N. Carlton Tilley, Jr., Chief District Judge;
James A. Beaty, Jr., District Judge.
(CA-00-649-1)

Submitted: February 15, 2002

Decided: March 8, 2002

Before MOTZ, TRAXLER, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Angela Newell Gray, GRAY, NEWELL, JOHNSON & BLACK-
MON, L.L.P., Greensboro, North Carolina, for Appellant. Julianna C.
Theall, Virginia A. Bain, SMITH, HELMS, MULLISS & MOORE,
L.L.P., Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Nancy Jacobs appeals the district court's orders granting summary judgment to her former employer, Hamlet HSA, Inc. ("Hamlet"), on her age discrimination claims under the Age Discrimination in Employment Act (ADEA), 29 U.S.C.A. §§ 621-634 (West 1999 & Supp. 2001) and the North Carolina Equal Employment Practices Act (NCEEPA), N.C. Gen. Stat. § 143-422.2 (2000); and granting judgment as a matter of law to Hamlet on her negligent and intentional infliction of emotional distress claims. We affirm.

We have reviewed the parties' briefs, the joint appendix and supplemental joint appendix, the district court's orders and rulings from the bench. The court properly found that Jacobs failed to show the legitimate, nondiscriminatory reasons Hamlet offered for terminating her were pretextual. *See Reeves v. Sanderson Plumbing Prods., Inc.*, 530 U.S. 133, 137-39 (2000). Furthermore, the court properly concluded that Jacobs failed to establish her negligent and intentional infliction of emotional distress claims as a matter of law. *See Soderlund v. Kuch*, 546 S.E.2d 632, 636 (N.C. Ct. App. 2001). Accordingly, we affirm on the reasoning of the district court. *Jacobs v. Hamlet HMA, Inc.*, No. CA-00-649-1 (M.D.N.C. July 24 & Sept. 13, 2001). 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