

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-2119

HENRY L. SMITH, JR.,

Plaintiff - Appellant,

versus

WILLIAM J. HENDERSON, Postmaster General,
United States Postal Service,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, Chief District Judge. (CA-00-572-BO)

Submitted: January 17, 2002

Decided: January 25, 2002

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

Affirmed by unpublished per curiam opinion.

Henry L. Smith, Jr., Appellant Pro Se. Robert Edward Skiver, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Henry L. Smith, Jr., appeals from the district court's order dismissing his employment discrimination action for failing to timely pursue equal employment opportunity (EEO) counseling. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Smith v. Henderson, No. CA-00-572-BO (E.D.N.C. Aug. 9, 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