

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-1330

KAREN DEESE,

Plaintiff - Appellant,

versus

ROBESON COUNTY DEPARTMENT OF SOCIAL SERVICES;
ROBESON COUNTY SOCIAL SERVICES BOARD; JACK D.
BRYAN, Agent, individually and in his official
capacity as Director of Robeson County
Department of Social Services,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Wilmington. William Norton Mason,
Magistrate Judge. (CA-00-135-7-MA)

Submitted: September 19, 2002 Decided: September 25, 2002

Before WILKINS, LUTTIG, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

William L. Davis, III, Lumberton, North Carolina, for Appellant.
Bruce D. Morton, HEDRICK, BLACKWELL & CRINER, L.L.P., Wilmington,
North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Karen Deese appeals from the magistrate judge's order granting summary judgment in favor of the Defendants and dismissing her complaint raising race discrimination Title VII and 42 U.S.C. § 1983 (2000) claims.* Deese argues that the district court erred in granting summary judgment in favor of the Defendants because her job performance was satisfactory and she met the legitimate expectations of her position. Finding no error, we affirm.

This court reviews a grant of summary judgment de novo. Higgins v. E.I. DuPont de Nemours & Co., 863 F.2d 1162, 1167 (4th Cir. 1988). Summary judgment is appropriate only if there are no material facts in dispute and the moving party is entitled to judgment as a matter of law. Fed. R. Civ. P. 56(c); Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986). This court must view the evidence in the light most favorable to the non-moving party. Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986). Our review of the materials before us convinces us that race was not a motivating factor in Deese's discharge. We therefore affirm on the reasoning of the district court. See Deese v. Robeson County Dep't of Social Servs., No. CA-00-135-7-MA (E.D.N.C. Feb. 25, 2002).

* The parties consented to the jurisdiction of the magistrate judge. 28 U.S.C. § 636(c) (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