

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-1888**

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VIVIAN MASON,

Plaintiff - Appellant,

versus

JOHN E. POTTER, Postmaster General, United  
States Postal Service,

Defendant - Appellee.

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Appeal from the United States District Court for the District of  
South Carolina, at Charleston. David C. Norton, District Judge.  
(CA-02-3850)

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Submitted: November 7, 2003

Decided: November 21, 2003

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Before WIDENER, MOTZ, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Vivian Mason, Appellant Pro Se. Joseph Parkwood Griffith, Jr.,  
OFFICE OF THE UNITED STATES ATTORNEY, Charleston, South Carolina,  
for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Vivian Mason appeals the district court's order accepting the magistrate judge's recommendation to dismiss Mason's Title VII complaint for failure to state a claim upon which relief can be granted pursuant to Fed. R. Civ. P. 12(b)(6). We review a district court's dismissal for failure to state a claim de novo. Mylan Labs., Inc. v. Matkari, 7 F.3d 1130, 1134 (4th Cir. 1993). We must accept as true the facts alleged in the complaint, view them in the light most favorable to the plaintiff, and recognize that dismissal is inappropriate unless it appears beyond certainty that the plaintiff would be entitled to no relief under any state of facts that could be proved in support of the claim. Conley v. Gibson, 355 U.S. 41, 45-46 (1957). Liberally construing Mason's complaint in compliance with Haines v. Kerner, 404 U.S. 519, 520-21 (1972), we find that she asserts conclusory allegations, unsupported by any averment of facts. Thus, we find that the district court did not err by dismissing Mason's complaint for failure to state a claim pursuant to Rule 12(b)(6). Accordingly, 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