

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-1319**

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ELLIOTT CONE, on behalf of E. H. Cone, III;  
NANCY CONE, on behalf of E. H. Cone, III,

Plaintiffs - Appellants,

versus

RANDOLPH COUNTY SCHOOLS,

Defendant - Appellee.

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Appeal from the United States District Court for the Middle  
District of North Carolina, at Durham. William L. Osteen, District  
Judge. (CA-02-1018-1)

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Submitted: June 18, 2004

Decided: July 16, 2004

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Before WILKINSON, LUTTIG, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Elliott Cone, Nancy Cone, Appellants Pro Se. Donna Rhea Rascoe,  
CRANFILL, SUMNER & HARTZOG, L.L.P., Raleigh, North Carolina, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Elliott Cone and Nancy Cone appeal the district court's order granting summary judgment for Randolph County Schools on their action under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400-87 (2000), and its North Carolina counterpart, N.C. Gen. Stat. § 115C-106 (1999), brought on behalf of their child E. H. Cone, III. We have carefully reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Cone v. Randolph County Sch., No. CA-02-1018-1 (M.D.N.C. Feb. 6, 2004). 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