

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-1354**

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THEODORE CARNEY, JR.,

Plaintiff - Appellant,

versus

UNIVERSAL HOSPITAL SERVICES, INCORPORATED,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, District Judge. (CA-03-667-3)

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Submitted: September 22, 2004

Decided: October 18, 2004

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Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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John F. Loehr, Charlottesville, Virginia; James A. Eichner, William G. Shields, THORSEN & SCHER L.L.P., Richmond, Virginia, for Appellant. Matthew E. Damon, Sandra L. Jezierski, HALLELAND LEWIS NILAN SIPKINS & JOHNSON, P.A., Minneapolis, Minnesota; David E. Nagle, LECLAIR RYAN, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Theodore Carney, Jr., appeals the district court's order denying relief on his complaint filed pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e to 2000e-17 (2000). We have reviewed the parties' briefs and the joint appendix and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Carney v. Universal Hosp. Servs., Inc., No. CA-03-667-3 (E.D. Va. Feb. 26, 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