

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1421

CHARLES K. HAMILTON,

Plaintiff - Appellant,

versus

PILGRIM'S PRIDE CORPORATION,

Defendant - Appellee.

Appeal from the United States District Court for the Northern District of West Virginia, at Elkins. Robert E. Maxwell, Senior District Judge. (CA-03-9-2)

Submitted: June 10, 2004

Decided: June 17, 2004

Before WILLIAMS and TRAXLER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Charles K. Hamilton, Appellant Pro Se. Daniel Leroy Fitch, Thomas Edward Ullrich, WHARTON, ALDHIZER & WEAVER, Harrisonburg, Virginia. Peter Gregory Zurbuch, BUSCH & TALBOTT, Elkins, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Charles K. Hamilton appeals the district court's order granting Defendant's motion for summary judgment on his complaint alleging excessive exposure to carbon monoxide. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Hamilton v. Pilgrim's Pride Corp., No. CA-03-9-2 (N.D.W. Va. Mar. 29, 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