

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 04-2484**

---

FREDA J. DAY,

Plaintiff - Appellant,

versus

J.C. PENNEY COMPANY, INCORPORATED,

Defendant - Appellee.

---

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Graham C. Mullen, Chief District Judge. (CA-03-96-3)

---

Submitted: April 27, 2005

Decided: May 16, 2005

---

Before LUTTIG, MICHAEL, and KING, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Freda J. Day, Appellant Pro Se. Parmele Prince Calame, Megan Tedrick, POYNER & SPRUILL, LLP, Charlotte, North Carolina; Karla Kies Longoria, J.C. PENNEY COMPANY, INC., Plano, Texas, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Freda J. Day appeals the district court's order granting summary judgment to the Defendant on her Title VII claim of employment discrimination and hostile work environment based on race and gender. See 42 U.S.C. §§ 2000e - 2000e-17 (2000). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Day v. J.C. Penney Company, Inc., No. CA-03-96-3 (W.D.N.C. Oct. 4, 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