

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 05-1313**

---

CHUKWUMA E. AZUBUKO,

Plaintiff - Appellant,

versus

MASSACHUSETTS' COMMISSION AGAINST  
DISCRIMINATION,

Defendant - Appellee.

---

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Gerald Bruce Lee, District Judge. (CA-04-402-1)

---

Submitted: June 23, 2005

Decided: June 28, 2005

---

Before WIDENER, MICHAEL, and TRAXLER, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Chukwuma E. Azubuko, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Chukwuma E. Azubuko appeals the district court's order denying his request that the district judge recuse himself. "We review a trial judge's decision on matters of recusal for abuse of discretion." United States v. Cherry, 330 F.3d 658, 665 (4th Cir. 2003). Having reviewed the record and materials before the court, we conclude that the district court did not abuse its discretion in denying the recusal motion and, therefore, we affirm the order.\* See Azubuko v. MA Comm'n Against Discrimination, No. CA-04-402-1 (E.D. Va. March 7, 2005). 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

---

\*Azubuko failed to timely appeal the district court's order dismissing the complaint in this case without prejudice. In addition, Azubuko specified in the notice of appeal his intention to challenge only the recusal order. Therefore, we review only the recusal issue. See Fed. R. App. P. 3(c)(1)(B) (the notice of appeal must "designate the judgment, order, or part thereof being appealed." ).