

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1796

SAMUEL J. JUNIPER,

Plaintiff - Appellee,

v.

M&G POLYMERS USA, LLC,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Huntington. Robert C. Chambers, District Judge. (3:03-cv-00572)

Submitted: September 25, 2008 Decided: October 10, 2008

Before NIEMEYER, MOTZ, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Philip A. Miscimarra, Charis A. Runnels, MORGAN, LEWIS & BOCKIUS, LLP, Chicago, Illinois, for Appellant. Anne E. Shaffer, Mark F. Underwood, UNDERWOOD & PROCTOR, Huntington, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

M&G Polymers USA, LLC, appeals the district court's order accepting the recommendation of the magistrate judge and granting Samuel J. Juniper's summary judgment motion in this Employee Retirement Income Security Act action. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Juniper v. M&G Polymers USA, LLC, No. 3:03-cv-00572 (S.D. W. Va. July 12, 2007). 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