

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-2157**

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ROBERT E. GIBBS,

Plaintiff - Appellant,

v.

JOHN E. POTTER, Postmaster General, United States Postal  
Service,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Greenville. David W. Daniel,  
Magistrate Judge. (4:09-cv-00037-DAN)

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Submitted: April 11, 2011

Decided: April 20, 2011

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Before WILKINSON, SHEDD, and DAVIS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Robert E. Gibbs, Appellant Pro Se. Matthew Fesak, Neal Fowler,  
Assistant United States Attorneys, Tobin Webb Lathan, OFFICE OF  
THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert E. Gibbs appeals the magistrate judge's order granting Postmaster General John Potter's motion to dismiss Gibbs' civil action arising out of his former employment with the United States Postal Service. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the magistrate judge.\* Gibbs v. Potter, No. 4:09-cv-00037-DAN (E.D.N.C. Sept. 27, 2010). 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

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\* The parties consented to the magistrate judge's jurisdiction pursuant to 28 U.S.C. § 636(c) (2006).