

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-1129

TIMOTHY A. JACKSON,

Plaintiff - Appellant,

v.

FUJIFILM MANUFACTURING USA INC.,

Defendant - Appellee,

and

FUJI PHOTO FILM INCORPORATED,

Defendant.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Amicus Supporting Appellant.

No. 11-1131

TIMOTHY A. JACKSON,

Plaintiff - Appellant,

v.

FUJI PHOTO FILM INCORPORATED; FUJIFILM MANUFACTURING USA
INC.,

Defendants - Appellees.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Amicus Supporting Appellant.

Appeals from the United States District Court for the District of South Carolina, at Anderson. J. Michelle Childs, District Judge. (8:09-cv-01328-JMC; 8:10-cv-01403-JMC)

Submitted: September 23, 2011 Decided: September 29, 2011

Before WILKINSON and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Timothy A. Jackson, Appellant Pro Se. Robert Hayne Hodges, III, Richard James Morgan, MCNAIR LAW FIRM, PA, Columbia, South Carolina, for Appellees. P. David Lopez, General Counsel, Carolyn L. Wheeler, Acting Associate General Counsel, Vincent Blackwood, Assistant General Counsel, James M. Tucker, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Washington, D.C., for Amicus Supporting Appellant.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In No. 11-1129, Timothy A. Jackson appeals the district court's order accepting the recommendation of the magistrate judge and granting summary judgment to the Defendant in this action alleging a violation of the Americans with Disabilities Act (ADA). After carefully reviewing the record, we conclude that Jackson failed to meet his burden of showing that, within the relevant time period, he suffered from a disability and was entitled to the protections of the ADA. Jackson presented no evidence demonstrating that he was substantially limited in a major life activity during this period. See Pollard v. High's of Baltimore, Inc., 281 F.3d 462, 467 (4th Cir. 2002); Rhoads v. FDIC, 257 F.3d 373, 387 (4th Cir. 2001). We accordingly affirm.*

In No. 11-1131, Jackson appeals the district court's order dismissing the action on the basis of res judicata. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Jackson v. Fuji Photo Film, Inc., No. 8:10-cv-01403-JMC (D.S.C. Feb. 7, 2011).

* "We are not limited to evaluation of the grounds offered by the district court to support its decision, but may affirm on any grounds apparent from the record." United States v. Smith, 395 F.3d 516, 519 (4th Cir. 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