

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-1069**

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ERIC WIGGINS,

Plaintiff - Appellant,

v.

MIKE DONLEY, Secretary of the Department of the Air Force,

Defendant - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Charleston. Richard Mark Gergel, District Judge. (2:11-cv-01788-RMG)

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Submitted: March 28, 2013

Decided: April 2, 2013

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Before NIEMEYER, KING, and KEENAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Eric Wiggins, Appellant Pro Se. Terri Hearn Bailey, Assistant United States Attorney, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Eric Wiggins appeals the district court's order accepting the magistrate judge's recommendation and dismissing his employment discrimination action pursuant to Fed. R. Civ. P. 41(b). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Wiggins v. Donley, No. 2:11-cv-01788-RMG (D.S.C. Nov. 20, 2012). We deny Wiggins' motion for appointment of counsel. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED