

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1595

JAMES ARTHUR SMITH,

Plaintiff - Appellant,

v.

ANTHEM, INC.,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Arenda L. Wright Allen, District Judge. (2:15-cv-00197-AWA-LRL)

Submitted: August 18, 2016

Decided: August 22, 2016

Before WILKINSON, KING, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James Arthur Smith, Appellant Pro Se. David Edward Constine, III, TROUTMAN SANDERS, LLP, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Arthur Smith appeals the district court's order granting summary judgment in favor of Anthem, Inc., on Smith's discrimination and retaliation claims, brought pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e to 2000e-17 (2012), and the Americans with Disabilities Act, 42 U.S.C. §§ 12101-12300 (2012). On appeal, we confine our review to the issues raised in the Appellant's brief. See 4th Cir. R. 34(b). Because Smith's informal brief does not challenge the basis for the district court's dispositive rulings, Smith has forfeited appellate review of the district court's order. See Williams v. Giant Food Inc., 370 F.3d 423, 430 n.4 (4th Cir. 2004); see also Edwards v. City of Goldsboro, 178 F.3d 231, 241 n.6 (4th Cir. 1999) (failure to raise issue in opening brief constitutes abandonment of that issue). Accordingly, we deny Smith's application to proceed in forma pauperis and affirm the district court's judgment. See Smith v. Anthem, Inc., No. 2:15-cv-00197-AWA-LRL (E.D. Va. May 20, 2016). 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