

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-1033

JAMES W. HUGHES,

Plaintiff - Appellant,

versus

HARRISONBURG HOTEL ASSOCIATION, LIMITED, t/a
Sheraton Harrisonburg,

Defendant - Appellee.

Appeal from the United States District Court for the Western Dis-
trict of Virginia, at Harrisonburg. B. Waugh Crigler, Magistrate
Judge. (CA-95-35-H)

Submitted: September 20, 1996

Decided: October 1, 1996

Before NIEMEYER, HAMILTON, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James W. Hughes, Appellant Pro Se. Jonathan Jay Litten, Stephanie
Rader Sipe, LITTEN & SIPE, Harrisonburg, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Appellant appeals from the district court's order granting summary judgment in favor of the Defendant in this action under the Age Discrimination in Employment Act, 29 U.S.C.A. §§ 621-634 (West 1985 & Supp. 1996). We have reviewed the record and the district court's opinion and find no reversible error. Even assuming that Appellant filed a sufficient complaint with the Equal Employment Opportunity Commission, see 29 U.S.C. § 626(d), he failed to provide direct evidence of discrimination on the part of the Defendant. See Birkbeck v. Marvel Lighting Corp., 30 F.3d 507, 512 (4th Cir. 1994), cert. denied, ___ U.S. ___, 63 U.S.L.W. 3460 (U.S., Dec. 12, 1994) (No. 94-719); Gagne v. Northwestern Nat'l Ins. Co., 881 F.2d 309, 314 (6th Cir.1989) (quoting Chappell v. GTE Prods. Corp., 803 F.2d 261, 268 n.2 (6th Cir.), cert. denied, 480 U.S. 919 (1987)). Accordingly, we affirm the district court's order. 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