

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-1795**

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SAMUEL L. SMITH,

Plaintiff - Appellant,

versus

NEW YORK TIMES COMPANY, a New York Corpora-  
tion; THE SPARTANBURG HERALD-JOURNAL, a South  
Carolina Corporation,

Defendants - Appellees,

and

MIKE TOWERY; EARL BARBER,

Defendants.

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Appeal from the United States District Court for the District of  
South Carolina, at Spartanburg. Henry M. Herlong, Jr., District  
Judge. (CA-94-2300-7-20AK)

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Submitted: October 20, 1997

Decided: November 12, 1997

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Before WIDENER and HAMILTON, Circuit Judges, and BUTZNER, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Samuel L. Smith, Appellant Pro Se. Paul Bernard Lindemann, JACKSON, LEWIS, SCHNITZLER & KRUPMAN, Greenville, South Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order granting Appellees' motion for costs associated with defending against Appellant's employment discrimination action. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Smith v. New York Times Co, et al, No. CA-94-2300-7-20AK (D.S.C. May 19, 1997). 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