

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-2273

MICHAEL E. OWENS,

Plaintiff - Appellant,

versus

INTERNATIONAL BUSINESS MACHINES CORPORATION,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Robert D. Potter, Senior District Judge. (CA-97-31-3-P)

Submitted: January 22, 1998

Decided: February 3, 1998

Before WIDENER, MICHAEL, and MOTZ,* Circuit Judges.

Dismissed by unpublished per curiam opinion.

Michael E. Owens, Appellant Pro Se. Charles Evans Johnson, Deanna Leigh Ruddock, KILPATRICK STOCKTON, L.L.P., Charlotte, North Carolina, for Appellee.

* Judge Motz did not participate in consideration of this case. The opinion is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d).

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Michael E. Owens appeals the district court's order dismissing his complaint that International Business Machines Corporation (IBM) fired him in violation of his civil rights as frivolous and malicious under 28 U.S.C. § 1915(e)(2)(B)(i) (West 1994 & Supp. 1997) and for failure to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6). We have reviewed the record and the district court's opinion and find that this appeal is frivolous. Accordingly, we dismiss on the reasoning of the district court. Owens v. IBM, No. CA-97-31-3-P (W.D.N.C. Aug. 18, 1997). We dispense with oral argument because the facts and legal contentions are adequately presented before the court and argument would not aid the decisional process.

DISMISSED