

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-1491

EUGENE HORTON, JR.,

Plaintiff - Appellant,

versus

NORFOLK SOUTHERN RAILWAY COMPANY, formerly
known as Norfolk Southern Corporation,

Defendant - Appellee.

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. Frank W. Bullock, Jr., District Judge. (CA-97-1247-1)

Submitted: October 8, 1999

Decided: October 19, 1999

Before HAMILTON, MOTZ, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Romallus O. Murphy, Sr., Greensboro, North Carolina, for Appellant.
M. Daniel McGinn, Jennifer K. Van Zant, BROOKS, PIERCE, MCLENDON,
HUMPHREY & LEONARD, L.L.P., Greensboro, North Carolina, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Eugene Horton, Jr., appeals the district court's order dismissing his civil action alleging that he was denied benefits from his former employer because of his race. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm substantially on the reasoning of the district court, finding that Horton's action is barred by his execution of a valid and comprehensive release. See Horton v. Norfolk Southern Railway Co., No. CA-97-1247-1 (M.D.N.C. Mar. 8, 1999). 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