

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-2605**

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JOSEPH B. KENNEDY,

Plaintiff - Appellant,

versus

NEIL A.G. MCPHIE, individually and as director  
of Virginia Department of Employee Relations  
Counselors,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern Dis-  
trict of Virginia, at Richmond. Richard L. Williams, Senior Dis-  
trict Judge. (CA-99-358)

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Submitted: April 20, 2000

Decided: July 19, 2000

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Before MICHAEL and KING, Circuit Judges, and BUTZNER, Senior Cir-  
cuit Judge.

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Affirmed by unpublished per curiam opinion.

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Joseph B. Kennedy, Appellant Pro Se. Guy Winston Horsley, Jr.,  
Assistant Attorney General, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Joseph B. Kennedy appeals the district court's order granting Neil A.G. McPhie's motion to dismiss filed under Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure for lack of subject matter jurisdiction. We have reviewed the record and the district court's opinion issued from the bench and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Kennedy v. McPhie, No. CA-99-358 (E.D. Va. Nov. 5, 1999); see also Lovern v. Edwards, 190 F.3d 648, 655 (4th Cir. 1999); Davis v. Pak, 856 F.2d 648, 650 (4th Cir. 1988). 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