

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-1812

JOHN R. LOWERY, JR.,

Plaintiff - Appellant,

versus

A. D. MATHEWS, SR., Former Sheriff, County of
Henrico; MICHAEL WADE, Sheriff, County of
Henrico,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern Dis-
trict of Virginia, at Richmond. James R. Spencer, District Judge.
(CA-00-186)

Submitted: December 29, 2000

Decided: January 12, 2001

Before WILKINS and WILLIAMS, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Robert P. Geary, Richmond, Virginia, for Appellant. Sharon Mait-
land Moon, LECLAIR RYAN, P.C., Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John R. Lowery, Jr., appeals the district court's order declining to reconsider its final order dismissing his employment discrimination action and denying his motion to file a second amended complaint. We have reviewed the district court's order and the record on appeal and find no reversible error. The district court did not abuse its discretion in declining to grant relief from its final order under either Fed. R. Civ. P. 59(e) or Fed. R. Civ. P. 60(b). See Brown v. French, 147 F.3d 307, 310 (4th Cir. 1988) (describing standard of review for Rule 59(e)); Browder v. Director, Dep't of Corrections, 434 U.S. 257, 263 n.7 (1978) (describing standard for Rule 60(b)). Neither did the court abuse its discretion in declining to allow Lowery to file an amended complaint after the court dismissed his original complaint for failure to state a claim on which relief could be granted. See Pittston Co. v. United States, 199 F.3d 694, 705 (4th Cir. 1999).

Finding no merit to either of Lowery's contentions on appeal, 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