

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-2350

JAMES SEMME FRAZIER,

Plaintiff - Appellant,

versus

RICHARD DANZIG, SECRETARY OF THE NAVY,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. T.S. Ellis, III, District Judge. (CA-99-1973-A)

Submitted: April 12, 2001

Decided: April 17, 2001

Before NIEMEYER, WILLIAMS, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James Semme Frazier, Appellant Pro Se. Edward John Martin, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

James Semme Frazier appeals the district court's order granting Secretary Richard J. Danzig of the Department of the Navy his motion to dismiss or in the alternative for summary judgment. We have reviewed the record and the district court's order and find no reversible error. We find that the district court did not abuse its discretion by denying Frazier's motion for a stay of the proceedings. We further find that Frazier failed to establish that the legitimate non-discriminatory reason given for his removal was a pretext for discrimination. Accordingly, we affirm. 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