

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-2358

TIMOTHY BOYKIN,

Plaintiff - Appellant,

versus

NORMAN Y. MINETA, Secretary, Department of
Transportation,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Claude M. Hilton, Chief
District Judge. (CA-03-477-A)

Submitted: March 24, 2004

Decided: April 13, 2004

Before WIDENER, WILKINSON, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Timothy Boykin, Appellant Pro Se. Richard Parker, Francis Patrick
King, Office of the United States Attorney, Dennis Carl Barghaan,
Jr., Assistant United States Attorney, Alexandria, Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Timothy Boykin appeals the district court's order awarding summary judgment to Defendant in this employment discrimination action. We have reviewed the record and find no reversible error. Accordingly, we affirm substantially on the reasoning of the district court.* See Boykin v. Mineta, No. CA-03-477-A (E.D. Va. filed Aug. 29, 2003 & entered Sept. 3, 2003). We grant the Government's motion to strike Boykin's attachments to his informal brief, and we deny Boykin's motion to supplement the record. 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

*To the extent the district court dismissed Boykin's retaliation claim on the basis that it was not exhausted, we note that exhaustion is not required with regard to retaliation claims like the one at issue here. See Nealon v. Stone, 958 F.2d 584, 590 (4th Cir. 1992). However, because we conclude that Boykin fails to support his claim of retaliation, the district court's judgment need not be disturbed.