

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-2388

JOSEPH KEVIN CONLON,

Plaintiff - Appellant,

versus

K-MART CORPORATION,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Chief District Judge. (CA-01-958-A)

Submitted: April 27, 2005

Decided: May 10, 2005

Before SHEDD and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Herman M. Sawyer, Jr., Falls Church, Virginia, for Appellant.
Danielle D. Giroux, HARMAN, CLAYTOR, CORRIGAN & WELLMAN, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Joseph Kevin Conlon appeals the district court's order granting summary judgment to Defendant in this tort action. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Conlon v. K-Mart Corp., No. CA-01-958-A (E.D. Va. filed Sept. 28, 2004 & entered Sept. 29, 2004). 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