

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 96-2226

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THOMAS C. AUXIER,

Plaintiff - Appellant,

versus

UNITED MINE WORKERS OF AMERICA 1974 PENSION  
TRUST; MICHAEL H. HOLLAND; ELLIOT A. SEGAL;  
JOSEPH J. STAHL, II, Trustee; DONALD E.  
PIERCE, JR.,

Defendants - Appellees.

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Appeal from the United States District Court for the Southern Dis-  
trict of West Virginia, at Charleston. John T. Copenhaver, Jr.,  
District Judge. (CA-94-1078-2)

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Submitted: April 17, 1997

Decided: April 24, 1997

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Before NIEMEYER and WILLIAMS, Circuit Judges, and BUTZNER, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Thomas C. Auxier, Appellant Pro Se. Glenda Sullivan Finch, Robert  
Duane Valer, UNITED MINE WORKERS OF AMERICA, Washington, D.C., for  
Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order dismissing his action. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Auxier v. UMWA 1974 Pension Trust, No. CA-94-1078-2 (S.D.W. Va. Aug. 6, 1996). 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