

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-1688

PATHENA WALTON,

Plaintiff - Appellant,

versus

COSTCO COMPANIES, INCORPORATED,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. James E. Bradberry, Magistrate Judge. (CA-98-141-4)

Submitted: November 23, 1999

Decided: December 17, 1999

Before WILKINS and KING, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Thomas Lee Hunter, THOMAS LEE HUNTER, J.D., Hampton, Virginia, for Appellant. Samantha S. Otero, William B. Tiller, James W. Walker, MORRIS & MORRIS, P.C., Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Pathena Walton appeals the magistrate judge's¹ order granting summary judgment to the Defendant and dismissing her negligence claim. We have reviewed the record and the magistrate judge's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the magistrate judge. See Walton v. Costco Companies, Inc., No. CA-98-141-4 (E.D. Va. Apr. 14, 1999).² 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

¹ The parties consented to the magistrate judge's jurisdiction. See 28 U.S.C. § 636(c)(1994).

² Although the magistrate judge's order is dated April 13, 1999, the district court's records show that it was entered on the docket sheet on April 14, 1999. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the order was physically entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).