

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-7243

LIONELL ELIJAH WILLIAMS,

Plaintiff - Appellant,

versus

NEWSWEEK, INCORPORATED; NATHAN MCCALL,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Robert G. Doumar, Senior District Judge. (CA-98-1130)

Submitted: December 16, 1999

Decided: December 29, 1999

Before MURNAGHAN and MOTZ, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Lionell Elijah Williams, Appellant Pro Se. Kevin Taylor Baine, Sherry A. Ingram, WILLIAMS & CONNOLLY, Washington, D.C., for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Lionell Elijah Williams appeals the district court's order dismissing his civil diversity action for failure to state a claim upon which relief can be granted and denying his motion for default judgment against Defendant Nathan McCall. Williams filed this action against Newsweek, Inc., and McCall alleging that they used his picture in a Newsweek article without Williams' consent and in violation of Va. Code Ann. § 8.01-40 (Michie 1992). 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. See Williams v. Newsweek, Inc., No. CA-98-1130 (Aug. 31, 1999).^{*} 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

^{*} Although the district court's order is signed and date stamped on August 27, 1999, the district court's records show that it was entered on the docket sheet on August 31, 1999. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the order was 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).