

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1675

THOMAS F. SWEENEY,

Plaintiff - Appellant.

v.

PETE BUTTIGIEG, Secretary of the Department of Transportation, In his official capacity
only,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at
Alexandria. Claude M. Hilton, Senior District Judge. (1:21-cv-00204-CMH-JFA)

Submitted: October 21, 2022

Decided: November 16, 2022

Before DIAZ, HARRIS, and QUATTLEBAUM, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Thomas F. Sweeney, Appellant Pro Se. Peter B. Baumhart, OFFICE OF THE UNITED
STATES ATTORNEY, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Thomas F. Sweeney appeals the district court's order granting Defendant's motion to dismiss Sweeney's employment discrimination complaint. Defendant has moved to dismiss the appeal, arguing that Sweeney did not timely file his notice of appeal. Under Fed. R. App. P. 4(a)(7)(A), a district court order is entered when the "judgment or order is entered in the civil docket under Federal Rule of Civil Procedure 79(a)." *See Hughes v. Halifax Cnty. Sch. Bd.*, 823 F.2d 832, 835 (4th Cir. 1987). Here, the district court entered its memorandum opinion and order in the docket on April 19, 2022. As a result, Sweeney had until June 21, 2022, to file a notice of appeal. *See* Fed. R. App. P. 4(a)(1)(B); Fed. R. App. P. 26(a)(1)(C), (6)(B). We therefore conclude that Sweeney's notice of appeal, filed on June 21, was timely, and we deny Defendant's motion to dismiss the appeal.

Nonetheless, we have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Sweeney v. Buttigieg*, No. 1:21-cv-00204-CMH-JFA (E.D. Va. filed Apr. 18, 2022 & entered Apr. 19, 2022). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED