

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-1998**

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SAMUEL T. WHATLEY, II,

Plaintiff - Appellant,

v.

WAFFLE HOUSE, INC.,

Defendant - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Charleston. Richard Mark Gergel, District Judge. (2:22-cv-04143-RMG)

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Submitted: January 30, 2024

Decided: February 2, 2024

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Before KING, AGEE, and THACKER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Samuel T. Whatley, II, Appellant Pro Se. Andrew Lindemann, LINDEMANN LAW FIRM, P.A., Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Samuel T. Whatley, II, appeals the district court's order accepting the recommendation of the magistrate judge and granting Defendant Waffle House Inc.'s motion for summary judgment in Whatley's action alleging violations of the Fair Labor Standards Act, 29 U.S.C. §§ 201-219. We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's judgment. *Whatley v. Waffle House, Inc.*, No. 2:22-cv-04143-RMG (D.S.C. Sept. 14, 2023). 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*