

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1305

JUDY MARIE MCCREARY,

Plaintiff - Appellant,

versus

VAUGHN & BASSETT FURNITURE COMPANY,

Defendant - Appellee,

and

JOHN D. BASSETT, III, President/CEO,

Defendant.

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. Wallace W. Dixon, Magistrate Judge. (1:05-cv-00413-WWD)

Submitted: December 13, 2007 Decided: December 17, 2007

Before NIEMEYER, MOTZ, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Judy Marie McCreary, Appellant Pro Se. Sarah Helen Roane, OLGETREE, DEAKINS, NASH, SMOAK & STEWART, PC, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Judy Marie McCreary appeals the magistrate judge's order dismissing her discrimination and retaliation action under Title VII of the Civil Rights Act of 1964, as a sanction under Fed. R. Civ. P. 37(d).^{*} We have reviewed the record and find no reversible error. Accordingly, we deny McCreary's motion for appointment of counsel and affirm for the reasons stated by the magistrate judge. See McCreary v. Vaughn & Bassett Furniture Co., No. 1:05-cv-00413-WWD (M.D.N.C. Mar. 21, 2007). 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

^{*}The parties consented to exercise of jurisdiction by a magistrate judge pursuant to 28 U.S.C. § 636(c) (2000).